

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5024

Chapter 306, Laws of 2013

(partial veto)

63rd Legislature
2013 Regular Session

TRANSPORTATION BUDGET

EFFECTIVE DATE: 05/20/13 - Except for section 702, which becomes effective 07/01/13; and section 709, which is contingent and becomes effective 06/30/13.

Passed by the Senate April 28, 2013
YEAS 46 NAYS 1

BRAD OWEN

President of the Senate

Passed by the House April 28, 2013
YEAS 72 NAYS 25

FRANK CHOPP

Speaker of the House of Representatives

Approved May 20, 2013, 2:05 p.m., with the exception of sections 201(3); 209(10); 216(5); 218(2); 306(7); 306(22); 313(4); 313(5); 602; 903, page 139, lines 23-25; 903(1); 904, page 151, lines 7-9; 904(1); 906, page 154, lines 8-10; and 906(1), which are vetoed.

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5024** as passed by the Senate and the House of Representatives on the dates hereon set forth.

HUNTER G. GOODMAN

Secretary

FILED

May 20, 2013

**Secretary of State
State of Washington**

1 solely for staffing costs to be dedicated to state transportation
2 activities. Staff hired to support transportation activities must have
3 practical experience with complex construction projects.

4 NEW SECTION. **Sec. 102. FOR THE UTILITIES AND TRANSPORTATION**
5 **COMMISSION**

6 Grade Crossing Protective Account--State Appropriation \$504,000

7 NEW SECTION. **Sec. 103. FOR THE OFFICE OF FINANCIAL MANAGEMENT**

8 Motor Vehicle Account--State Appropriation \$1,641,000

9 Puget Sound Ferry Operations Account--State
10 Appropriation \$176,000

11 TOTAL APPROPRIATION \$1,817,000

12 The appropriations in this section are subject to the following
13 conditions and limitations:

14 (1) \$932,000 of the motor vehicle account--state appropriation is
15 provided solely for the office of financial management, from funds set
16 aside out of statewide fuel taxes distributed to counties according to
17 RCW 46.68.120(3), to contract with the Washington state association of
18 counties to identify, analyze, evaluate, and implement county
19 transportation performance measures associated with transportation
20 system policy goals outlined in RCW 47.04.280. The Washington state
21 association of counties, in cooperation with state agencies, must:
22 Identify, analyze, and report on county transportation system
23 preservation; identify, evaluate, and report on opportunities to
24 streamline reporting requirements for counties; and evaluate project
25 management tools to help improve project delivery at the county level.

26 (2) \$70,000 of the Puget Sound ferry operations account--state
27 appropriation is provided solely for the state's share of the marine
28 salary survey.

29 NEW SECTION. **Sec. 104. FOR THE DEPARTMENT OF ENTERPRISE SERVICES**

30 Motor Vehicle Account--State Appropriation \$502,000

31 NEW SECTION. **Sec. 105. FOR THE STATE PARKS AND RECREATION**
32 **COMMISSION**

33 Motor Vehicle Account--State Appropriation \$986,000

1 The appropriation in this section is subject to the following
2 conditions and limitations: The entire appropriation in this section
3 is provided solely for road maintenance purposes.

4 NEW SECTION. **Sec. 106. FOR THE DEPARTMENT OF AGRICULTURE**

5 Motor Vehicle Account--State Appropriation \$1,208,000

6 The appropriation in this section is subject to the following
7 conditions and limitations:

8 (1) \$351,000 of the motor vehicle account--state appropriation is
9 provided solely for costs associated with the motor fuel quality
10 program.

11 (2) \$857,000 of the motor vehicle account--state appropriation is
12 provided solely to test the quality of biofuel. The department must
13 test fuel quality at the biofuel manufacturer, distributor, and
14 retailer.

15 NEW SECTION. **Sec. 107. FOR THE LEGISLATIVE EVALUATION AND**
16 **ACCOUNTABILITY PROGRAM COMMITTEE**

17 Motor Vehicle Account--State Appropriation \$529,000

18 NEW SECTION. **Sec. 108. FOR THE JOINT LEGISLATIVE AUDIT AND REVIEW**
19 **COMMITTEE**

20 Motor Vehicle Account--State Appropriation \$493,000

21 The appropriation in this section is subject to the following
22 conditions and limitations:

23 (1) \$243,000 of the motor vehicle account--state appropriation is
24 for the joint legislative audit and review committee to conduct a
25 review of the methods and systems used by the department of
26 transportation to develop asset condition and maintenance service level
27 needs and subsequent funding requests for highway preservation and
28 maintenance programs, to include tolled facilities. The review will
29 examine whether the methods and systems used by the department of
30 transportation for estimating preservation and maintenance needs and
31 costs are consistent with industry practices and other appropriate
32 standards. The review will include analysis of a selection of
33 preservation and maintenance requests and address issues such as:

34 (a) Was a systematic, documented process used to develop the
35 estimate of need?

1 (b) Are practices in place to minimize life-cycle preservation and
2 maintenance costs?

3 (c) Was each stage in the cost estimating process fully documented?

4 (d) If appropriate, how were risks to the cost estimate quantified?

5 (e) What steps are in place to ensure that requests are not unduly
6 impacted by outside pressures?

7 Expert engineering or cost estimating consultants may be used to
8 review methods, systems, and individual estimates for accuracy. A
9 briefing report, focusing on an overview of the methods and processes,
10 must be completed by December 2013. A report containing any findings
11 and recommendations must be completed by December 2014.

12 (2) \$200,000 of the motor vehicle account--state appropriation is
13 provided solely for the joint legislative audit and review committee to
14 conduct a forensic audit of the Interstate 5/Columbia River Crossing
15 project (400506A) to investigate possible misuse of public funds. The
16 joint legislative audit and review committee may contract with the
17 state auditor's office for fraud-related investigation services, if
18 necessary.

19 (3)(a) The joint legislative audit and review committee shall
20 conduct a study of registration and inspection fee programs regulating
21 gas stations and other businesses that emit gasoline vapors
22 administered by the department of ecology and air pollution control
23 authorities (collectively referred to as "regulatory agencies") as
24 provided in chapter 70.94 RCW. The goal of the study is to provide
25 recommendations to the legislature that, if implemented, would further
26 effective implementation of chapter 70.94 RCW by the regulatory
27 agencies and would result in more consistent and transparent
28 registration fees and regulations across all regulatory agencies
29 included in the study.

30 (b) The study must include, but not be limited to:

31 (i) Comparing and contrasting registration and inspection fees and
32 methodologies used in calculating fees among all regulatory agencies as
33 provided in RCW 70.94.151;

34 (ii) Comparing and contrasting inspection processes and criteria
35 among all regulatory agencies, including frequency of registration and
36 inspection of facilities; and

37 (iii) Comparing and contrasting inspection processes and criteria
38 utilized by the state's regulatory agencies with criteria established

1 by the United States environmental protection agency regulating gas
2 stations and other businesses that emit gasoline vapors. This should
3 include, but not be limited to, federal stage II vapor recovery
4 requirements and federal ozone standards and nonattainment.

5 (c) In conducting the study, the joint legislative audit and review
6 committee shall develop a stakeholder list, including representatives
7 from each regulatory agency, from the Washington oil marketers
8 association, and from other industry associations or groups. The
9 committee shall meet with stakeholders as it deems necessary, but shall
10 convene at least one meeting of all stakeholders within two months of
11 commencing the study. The committee shall submit its findings and
12 recommendations to the legislature by December 31, 2014.

13 NEW SECTION. **Sec. 109. FOR THE DEPARTMENT OF FISH AND WILDLIFE**
14 Motor Vehicle Account--State Appropriation \$295,000

15 The appropriation in this section is subject to the following
16 conditions and limitations:

17 (1) \$200,000 of the motor vehicle account--state appropriation is
18 from the cities statewide fuel tax distributions under RCW 46.68.110(2)
19 and is provided solely for the department to inventory, prioritize, and
20 study fish passage barriers associated with city roads and streets in
21 the Puget Sound region. The department shall submit the results to the
22 department of transportation and to organizations representing cities
23 by June 30, 2015.

24 (2) \$95,000 of the motor vehicle account--state appropriation is
25 from the counties statewide fuel tax distribution under RCW
26 46.68.120(3) and is provided solely for the department of
27 transportation to contract with the department to inventory, assess,
28 and prioritize fish passage barriers associated with county roads. The
29 department shall submit the results to the department of
30 transportation, the office of financial management, and the
31 transportation committees of the legislature by June 30, 2015.

32 **TRANSPORTATION AGENCIES--OPERATING**

33 *NEW SECTION. **Sec. 201. FOR THE WASHINGTON TRAFFIC SAFETY**

1 **COMMISSION**

2	Highway Safety Account--State Appropriation	\$3,017,000
3	Highway Safety Account--Federal Appropriation	\$40,699,000
4	Highway Safety Account--Private/Local Appropriation	\$50,000
5	School Zone Safety Account--State Appropriation	\$1,800,000
6	TOTAL APPROPRIATION	\$45,566,000

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) The commission shall develop and implement, in collaboration
10 with the Washington state patrol, a target zero team pilot program in
11 Yakima and Spokane counties. The pilot program must demonstrate the
12 effectiveness of intense, high visibility driving under the influence
13 enforcement in Washington state. The commission shall apply to the
14 national highway traffic safety administration for federal highway
15 safety grants to cover the cost of the pilot program.

16 (2) \$20,000,000 of the highway safety account--federal
17 appropriation is provided solely for federal funds that may be
18 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
19 2013-2015 fiscal biennium.

20 (3) ***Of the amounts provided in this section, any amounts that are***
21 ***granted by the commission for the traffic safety resource prosecutor***
22 ***program must be directed to the Washington association of prosecuting***
23 ***attorneys.***

24 (4) The commission may continue to oversee pilot projects
25 implementing the use of automated traffic safety cameras to detect
26 speed violations within cities west of the Cascade mountains that have
27 a population over one hundred ninety-five thousand. For the purposes
28 of pilot projects in this subsection, no more than one automated
29 traffic safety camera may be used to detect speed violations within any
30 one jurisdiction.

31 (a) The commission shall comply with RCW 46.63.170 in administering
32 the pilot projects.

33 (b) By January 1, 2015, any local authority that is operating an
34 automated traffic safety camera to detect speed violations must provide
35 a summary to the transportation committees of the legislature
36 concerning the use of the cameras and data regarding infractions,
37 revenues, and costs.

**Sec. 201 was partially vetoed. See message at end of chapter.*

1 NEW SECTION. **Sec. 202. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

2 Rural Arterial Trust Account--State Appropriation \$945,000
3 Motor Vehicle Account--State Appropriation \$2,186,000
4 County Arterial Preservation Account--State
5 Appropriation \$1,456,000
6 TOTAL APPROPRIATION \$4,587,000

7 NEW SECTION. **Sec. 203. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

8 Transportation Improvement Account--State
9 Appropriation \$3,804,000

10 NEW SECTION. **Sec. 204. FOR THE JOINT TRANSPORTATION COMMITTEE**

11 Motor Vehicle Account--State Appropriation \$1,330,000

12 The appropriation in this section is subject to the following
13 conditions and limitations:

14 (1)(a) \$325,000 of the motor vehicle account--state appropriation
15 is for a study of transportation cost drivers and potential
16 efficiencies to contain project costs and gain more value from
17 investments in Washington state's transportation system. The goal is
18 to enable the department of transportation to construct bridge and
19 highway projects more quickly and to build and operate them at a lower
20 cost, while ensuring that appropriate environmental and regulatory
21 protections are maintained and a quality project is delivered. The
22 joint transportation committee must convene an advisory panel to
23 provide study guidance and discuss potential efficiencies and
24 recommendations. The scope of the study must be limited to state-level
25 policies and practices relating to the planning, design, permitting,
26 construction, financing, and operation of department of transportation
27 roadway and bridge projects. The study must:

- 28 (i) Identify best practices;
- 29 (ii) Identify inefficiencies in state policy or agency practice
30 where changes may save money;
- 31 (iii) Recommend changes to improve efficiency and save money; and
- 32 (iv) Identify potential savings to be achieved by adopting changes
33 in practice or policy.

34 (b) The joint transportation committee shall issue a report of its
35 findings to the house of representatives and senate transportation
36 committees by December 31, 2013.

1 (2) The joint transportation committee shall coordinate a work
2 group comprised of the department of licensing, the department of
3 revenue, county auditors or other agents, and subagents to identify
4 possible issues relating to the administration of, compliance with, and
5 enforcement of the existing statutory requirement for a person to
6 provide an unexpired driver's license when registering a vehicle. The
7 work group shall provide recommendations on how administration and
8 enforcement may be modified, as needed, to address any identified
9 issues, including whether statutory changes may be needed. A report
10 presenting the recommendations must be presented to the house of
11 representatives and senate transportation committees by December 31,
12 2013.

13 (3) The joint transportation committee shall continue to convene a
14 subcommittee for legislative oversight of the I-5/Columbia river
15 crossing bridge replacement project. The Columbia river crossing
16 legislative oversight subcommittee must be made up of six members: Two
17 appointed by the cochair of the senate transportation committee, two
18 appointed by the chair and ranking member of the house of
19 representatives transportation committee, one designee of the governor,
20 and one citizen jointly appointed by the four members of the joint
21 transportation executive committee. The citizen appointee must be a
22 Washington state resident of the area served by the bridge. At least
23 two of the legislative members must be from the legislative districts
24 served by the bridge. In addition to reviewing project and financing
25 information, the subcommittee must also coordinate with the Oregon
26 legislative oversight committee for the Columbia river crossing bridge.

27 (4) The joint transportation committee shall convene a work group
28 to identify and evaluate internal refinance opportunities for the
29 Tacoma Narrows bridge. The study must include a staff work group,
30 including staff from the office of financial management, the
31 transportation commission, the department of transportation, the office
32 of the state treasurer, and the legislative transportation committees.
33 The joint transportation committee shall issue a report of its findings
34 to the house of representatives and the senate transportation
35 committees by December 31, 2013.

36 (5) The joint transportation committee shall study and review the
37 use of surplus property proceeds to fund facility replacement projects,
38 and the possibility of using the north central region as a pilot. The

1 joint transportation committee shall consult with the department of
2 transportation and the office of financial management regarding the
3 department's current process for prioritizing and funding facility
4 improvement and replacement projects.

5 NEW SECTION. **Sec. 205. FOR THE TRANSPORTATION COMMISSION**

6	Motor Vehicle Account--State Appropriation	\$2,947,000
7	Multimodal Transportation Account--State	
8	Appropriation	\$112,000
9	TOTAL APPROPRIATION	\$3,059,000

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
13 during the 2013-2015 fiscal biennium, the legislature authorizes the
14 transportation commission to periodically review and, if necessary,
15 adjust the schedule of fares for the Washington state ferry system only
16 in amounts not greater than those sufficient to generate the amount of
17 revenue required by the biennial transportation budget. When adjusting
18 ferry fares, the commission must consider input from affected ferry
19 users by public hearing and by review with the affected ferry advisory
20 committees, in addition to the data gathered from the current ferry
21 user survey.

22 (2) Consistent with RCW 43.135.055 and 47.46.100, during the 2013-
23 2015 fiscal biennium, the legislature authorizes the transportation
24 commission to periodically review and, if necessary, adjust the
25 schedule of toll charges applicable to the Tacoma Narrows bridge only
26 in amounts not greater than those sufficient to support (a) any
27 required costs for operating and maintaining the toll bridge, including
28 the cost of insurance, (b) any amount required by law to meet the
29 redemption of bonds and applicable interest payments, and (c) repayment
30 of the motor vehicle fund.

31 (3)(a) \$400,000 of the motor vehicle account--state appropriation
32 is provided solely for the development of the business case for the
33 transition to a road usage charge system as the basis for funding the
34 state transportation system, from the current motor fuel tax system.
35 The funds are provided for fiscal year 2014 only.

36 (b) The legislature finds that the efforts started in the 2011-2013
37 fiscal biennium regarding the transition to a road usage charge system

1 represent an important first step in the policy and conceptual
2 development of potential alternative systems to fund transportation
3 projects, but that the governance for the development needs
4 clarification. The legislature also finds that significant amounts of
5 research and public education are occurring in similar efforts in
6 several states and that these efforts can and should be leveraged to
7 advance the evaluation in Washington. The legislature intends,
8 therefore, that the commission and its staff lead the policy
9 development of the business case for a road usage charge system, with
10 the goal of providing the business case to the governor and the
11 legislative committees of the legislature in time for inclusion in the
12 2014 supplemental omnibus transportation appropriations act. The
13 legislature intends for additional oversight in the business case
14 development, with guidance from a steering committee as provided in
15 chapter 86, Laws of 2012, augmented with participation by the joint
16 transportation committee. The legislature further intends that the
17 department of transportation continue to address administrative,
18 technical, and conceptual operational issues related to road usage
19 charge systems, and that the department serve as a resource for
20 information gleaned from other states on this topic for the
21 commission's efforts.

22 (c) For the purposes of this subsection (3), the commission shall:

23 (i) Develop preliminary road usage charge policies that are
24 necessary to develop the business case, as well as supporting research
25 and data that will guide the potential application in Washington;

26 (ii) Develop the preferred operational concept or concepts that
27 reflect the preliminary policies;

28 (iii) Evaluate the business case for the road usage charge system
29 that would result from implementing the preliminary policies and
30 preferred operational concept or concepts. The evaluation must assess
31 likely financial outcomes if the system were to be implemented; and

32 (iv) Identify and document policy and other issues that are deemed
33 important to further refine the preferred operational concept or
34 concepts and to gain public acceptance. These identified issues should
35 form the basis for continued work beyond this funding cycle.

36 (d) The commission shall convene a steering committee to guide the
37 development of the business case. The membership must be the same as

1 provided in chapter 86, Laws of 2012, except that the membership must
2 also include the joint transportation committee executive members.

3 (e) The commission shall submit a report of the business case to
4 the governor and the transportation committees of the legislature by
5 December 15, 2013. The report must also include a proposed budget and
6 work plan for fiscal year 2015. A progress report must be submitted to
7 the governor and the joint transportation committee by November 1,
8 2013, including a presentation to the joint transportation committee.

9 (4) \$174,000 of the motor vehicle account--state appropriation is
10 provided solely for the voice of Washington survey program. The
11 funding must be utilized for continued program maintenance and two
12 transportation surveys for the 2013-2015 fiscal biennium.

13 NEW SECTION. **Sec. 206. FOR THE FREIGHT MOBILITY STRATEGIC**
14 **INVESTMENT BOARD**

15 Motor Vehicle Account--State Appropriation \$904,000

16 NEW SECTION. **Sec. 207. FOR THE WASHINGTON STATE PATROL**

17	State Patrol Highway Account--State	
18	Appropriation	\$370,354,000
19	State Patrol Highway Account--Federal	
20	Appropriation	\$11,137,000
21	State Patrol Highway Account--Private/Local	
22	Appropriation	\$3,591,000
23	Highway Safety Account--State Appropriation	\$19,429,000
24	Multimodal Transportation Account--State	
25	Appropriation	\$273,000
26	Ignition Interlock Device Revolving Account--State	
27	Appropriation	\$573,000
28	TOTAL APPROPRIATION	\$405,357,000

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) The Washington state patrol shall collaborate with the
32 Washington traffic safety commission on the target zero team pilot
33 program referenced in section 201 of this act.

34 (2) During the 2013-2015 fiscal biennium, the Washington state
35 patrol shall relocate its data center to the state data center in

1 Olympia. The Washington state patrol shall work with the department of
2 enterprise services to negotiate the lease termination agreement for
3 the current data center site.

4 (3) Washington state patrol officers engaged in off-duty uniformed
5 employment providing traffic control services to the department of
6 transportation or other state agencies may use state patrol vehicles
7 for the purpose of that employment, subject to guidelines adopted by
8 the chief of the Washington state patrol. The Washington state patrol
9 must be reimbursed for the use of the vehicle at the prevailing state
10 employee rate for mileage and hours of usage, subject to guidelines
11 developed by the chief of the Washington state patrol.

12 (4) \$573,000 of the ignition interlock device revolving account--
13 state appropriation is provided solely for the ignition interlock
14 program at the Washington state patrol to provide funding for two staff
15 to work and provide support for the program in working with
16 manufacturers, service centers, technicians, and participants in the
17 program.

18 (5) \$370,000 of the state patrol highway account--state
19 appropriation is provided solely for costs associated with the pilot
20 program described under section 216(6) of this act. The Washington
21 state patrol may incur costs related only to the assignment of cadets
22 and necessary computer equipment and to the reimbursement of the
23 department of transportation for contract costs. The appropriation in
24 this subsection must be funded from the portion of the automated
25 traffic safety camera infraction fines deposited into the state patrol
26 highway account; however, if the fines deposited into the state patrol
27 highway account from automated traffic safety camera infractions do not
28 reach three hundred seventy thousand dollars, the department of
29 transportation shall remit funds necessary to the Washington state
30 patrol to ensure the completion of the pilot program. The Washington
31 state patrol may not incur overtime as a result of this pilot program.
32 The Washington state patrol shall not assign troopers to operate or
33 deploy the pilot program equipment used in roadway construction zones.

34 (6) The cost allocation for any costs incurred for the facilities
35 at the Olympia, Washington airport used for the Washington state patrol
36 aviation section must be split evenly between the state patrol highway
37 account and the general fund.

1 (7) The Washington state patrol shall work with the state
2 interoperability executive committee to compile a list of recent
3 studies evaluating the potential savings and benefits of consolidating
4 law enforcement and emergency dispatching centers and report to the
5 joint transportation committee by December 1, 2014, on the findings and
6 recommendations of those studies. As part of this study, the
7 Washington state patrol must look for potential efficiencies within
8 state government.

9 NEW SECTION. **Sec. 208. FOR THE DEPARTMENT OF LICENSING**

10	Marine Fuel Tax Refund Account--State	
11	Appropriation	\$34,000
12	Motorcycle Safety Education Account--State	
13	Appropriation	\$4,409,000
14	State Wildlife Account--State Appropriation	\$885,000
15	Highway Safety Account--State Appropriation	\$156,679,000
16	Highway Safety Account--Federal Appropriation	\$4,392,000
17	Motor Vehicle Account--State Appropriation	\$76,819,000
18	Motor Vehicle Account--Federal Appropriation	\$467,000
19	Motor Vehicle Account--Private/Local Appropriation	\$1,544,000
20	Ignition Interlock Device Revolving Account--State	
21	Appropriation	\$2,656,000
22	Department of Licensing Services Account--State	
23	Appropriation	\$5,959,000
24	TOTAL APPROPRIATION	\$253,844,000

25 The appropriations in this section are subject to the following
26 conditions and limitations:

27 (1) \$1,235,000 of the highway safety account--state appropriation
28 is provided solely for the implementation of chapter . . . (Substitute
29 House Bill No. 1752), Laws of 2013 (requirements for the operation of
30 commercial motor vehicles in compliance with federal regulations). If
31 chapter . . . (Substitute House Bill No. 1752), Laws of 2013 is not
32 enacted by June 30, 2013, the amount provided in this subsection
33 lapses.

34 (2) \$1,000,000 of the highway safety account--state appropriation
35 is provided solely for information technology field system
36 modernization.

1 (3) \$201,000 of the motor vehicle account--state appropriation is
2 provided solely for the implementation of chapter . . . (Substitute
3 Senate Bill No. 5152), Laws of 2013 (Sounders FC and Seahawks license
4 plates). If chapter . . . (Substitute Senate Bill No. 5152), Laws of
5 2013 is not enacted by June 30, 2013, the amount provided in this
6 subsection lapses.

7 (4) \$425,000 of the highway safety account--state appropriation is
8 provided solely for the implementation of chapter . . . (Substitute
9 Senate Bill No. 5182), Laws of 2013 (vehicle owner information). If
10 chapter . . . (Substitute Senate Bill No. 5182), Laws of 2013 is not
11 enacted by June 30, 2013, the amount provided in this subsection
12 lapses.

13 (5) \$172,000 of the highway safety account--state appropriation is
14 provided solely for the implementation of chapter . . . (Senate Bill
15 No. 5775), Laws of 2013 (veterans/drivers' licenses). If chapter . . .
16 (Senate Bill No. 5775), Laws of 2013 is not enacted by June 30, 2013,
17 the amount provided in this subsection lapses.

18 (6) \$652,000 of the motor vehicle account--state appropriation is
19 provided solely for the implementation of chapter . . . (Engrossed
20 Substitute Senate Bill No. 5785), Laws of 2013 (license plates). If
21 chapter . . . (Engrossed Substitute Senate Bill No. 5785), Laws of 2013
22 is not enacted by June 30, 2013, the amount provided in this subsection
23 lapses.

24 (7) \$78,000 of the motor vehicle account--state appropriation and
25 \$3,707,000 of the highway safety account--state appropriation are
26 provided solely for the implementation of chapter . . . (Engrossed
27 Substitute Senate Bill No. 5857), Laws of 2013 (vehicle-related fees).
28 If chapter . . . (Engrossed Substitute Senate Bill No. 5857), Laws of
29 2013 is not enacted by June 30, 2013, the amount provided in this
30 subsection lapses.

31 (8) The appropriation in this section reflects the department
32 charging an amount sufficient to cover the full cost of providing the
33 data requested under RCW 46.12.630(1)(b).

34 (9)(a) The department must convene a work group to examine the use
35 of parking placards and special license plates for persons with
36 disabilities and develop a strategic plan for ending any abuse. In
37 developing this plan, the department must work with the department of

1 health, disabled citizen advocacy groups, and representatives from
2 local government.

3 (b) The work group must be composed of no more than two
4 representatives from each of the entities listed in (a) of this
5 subsection. The work group may, when appropriate, consult with any
6 other public or private entity in order to complete the strategic plan.

7 (c) The strategic plan must include:

8 (i) Oversight measures to ensure that parking placards and special
9 license plates for persons with disabilities are being properly issued,
10 including: (A) The entity responsible for coordinating a randomized
11 review of applications for special parking privileges; (B) a volunteer
12 panel of medical professionals to conduct such reviews; (C) a means to
13 protect the anonymity of both the medical professional conducting a
14 review and the medical professional under review; (D) a means to
15 protect the privacy of applicants by removing any personally
16 identifiable information; and (E) possible sanctions against a medical
17 professional for repeated improper issuances of parking placards or
18 special license plates for persons with disabilities, including those
19 sanctions listed in chapter 18.130 RCW; and

20 (ii) The creation of a publicly accessible system in which the
21 validity of parking placards and special license plates for persons
22 with disabilities may be verified. This system must not allow the
23 public to access any personally identifiable information or protected
24 health information of a person who has been issued a parking placard or
25 special license plate.

26 (d) The work group must convene by July 1, 2013, and terminate by
27 December 1, 2013.

28 (e) By December 1, 2013, the work group must deliver to the
29 legislature and the appropriate legislative committees the strategic
30 plan required under this subsection, together with its findings,
31 recommendations, and any necessary draft legislation in order to
32 implement the strategic plan.

33 (10) \$3,082,000 of the highway safety account--state appropriation
34 is provided solely for exam and licensing activities, including the
35 workload associated with providing driver record abstracts, and is
36 subject to the following additional conditions and limitations:

37 (a) The department may furnish driving record abstracts only to

1 those persons or entities expressly authorized to receive the abstracts
2 under Title 46 RCW;

3 (b) The department may furnish driving record abstracts only for an
4 amount that does not exceed the specified fee amounts in RCW 46.52.130
5 (2)(e)(v) and (4); and

6 (c) The department may not enter into a contract, or otherwise
7 participate in any arrangement, with a third party or other state
8 agency for any service that results in an additional cost, in excess of
9 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
10 statutorily authorized persons or entities purchasing a driving record
11 abstract.

12 ***NEW SECTION. Sec. 209. FOR THE DEPARTMENT OF TRANSPORTATION--**
13 **TOLL OPERATIONS AND MAINTENANCE--PROGRAM B**

14	High-Occupancy Toll Lanes Operations Account--State	
15	Appropriation	\$1,851,000
16	Motor Vehicle Account--State Appropriation	\$509,000
17	State Route Number 520 Corridor Account--State	
18	Appropriation	\$32,419,000
19	State Route Number 520 Civil Penalties Account--State	
20	Appropriation	\$4,169,000
21	Tacoma Narrows Toll Bridge Account--State	
22	Appropriation	\$23,730,000
23	Puget Sound Ferry Operations Account--State	
24	Appropriation	\$250,000
25	TOTAL APPROPRIATION	\$62,928,000

26 The appropriations in this section are subject to the following
27 conditions and limitations:

28 (1)(a) The legislature finds that the department's tolling division
29 has expanded greatly in recent years to address the demands of
30 administering several newly tolled facilities using emerging toll
31 collection technologies. The legislature intends for the department to
32 continue its good work in administering the tolled facilities of the
33 state, while at the same time implementing controls and processes to
34 ensure the efficient and judicious administration of toll payer
35 dollars.

36 (b) The legislature finds that the department has undertaken a
37 cost-of-service study in the winter and spring of 2013 for the purposes

1 of identifying in detail the costs of operating and administering
2 tolling on state route number 520, state route number 167
3 high-occupancy toll lanes, and the Tacoma Narrows bridge. The purpose
4 of the study is to provide results to establish a baseline by which
5 future activity may be compared and opportunities identified for cost
6 savings and operational efficiencies. In addition, the legislature
7 finds that the state auditor has undertaken a performance audit of the
8 department's contract for the customer service center and back office
9 processing of tolling transactions. The audit findings, which are
10 expected to include lessons learned, are due in late spring 2013.

11 (c) Using the results of the cost-of-service study and the state
12 audit as a basis, the department shall conduct a review of operations
13 using lean management principles in order to eliminate inefficiencies
14 and redundancies, incorporate lessons learned, and identify
15 opportunities to conduct operations more efficiently and effectively.
16 Within current statutory and budgetary tolling policy, the department
17 shall use the results of the review to improve operations in order to
18 conduct toll operations within the appropriations provided in
19 subsections (2) through (4) of this section. The department shall
20 submit the review, along with the status of and plans for the
21 implementation of review recommendations, to the office of financial
22 management and the house of representatives and senate transportation
23 committees by October 15, 2013.

24 (2) \$10,482,000 of the Tacoma Narrows toll bridge account--state
25 appropriation, \$17,056,000 of the state route number 520 corridor
26 account--state appropriation, \$1,226,000 of the high-occupancy toll
27 lanes operations account--state appropriation, and \$509,000 of the
28 motor vehicle account--state appropriation are provided solely for
29 nonvendor costs of administering toll operations, including the costs
30 of: Staffing the division, consultants and other personal service
31 contracts required for technical oversight and management assistance,
32 insurance, payments related to credit card processing, transponder
33 purchases and inventory management, facility operations and
34 maintenance, and other miscellaneous nonvendor costs.

35 (3) \$10,907,000 of the Tacoma Narrows toll bridge account--state
36 appropriation, \$9,363,000 of the state route number 520 corridor
37 account--state appropriation, and \$625,000 of the high-occupancy toll
38 lanes operations account--state appropriation are provided solely for

1 vendor-related costs of operating tolled facilities, including the
2 costs of: The customer service center; cash collections on the Tacoma
3 Narrows bridge; electronic payment processing; and toll collection
4 equipment maintenance, renewal, and replacement.

5 (4) \$1,300,000 of the Tacoma Narrows toll bridge account--state
6 appropriation and \$6,000,000 of the state route number 520 corridor
7 account--state appropriation are provided solely for the purposes of
8 addressing unforeseen operations and maintenance costs on the Tacoma
9 Narrows bridge and the state route number 520 bridge, respectively.
10 The office of financial management shall place the amounts provided in
11 this section, which represent a portion of the required minimum fund
12 balance under the policy of the state treasurer, in unallotted status.
13 The office may release the funds only when it determines that all other
14 funds designated for operations and maintenance purposes have been
15 exhausted.

16 (5) \$4,169,000 of the state route number 520 civil penalties
17 account--state appropriation and \$1,039,000 of the Tacoma Narrows toll
18 bridge account--state appropriation are provided solely for
19 expenditures related to the toll adjudication process. The department
20 shall report on the civil penalty process to the office of financial
21 management and the house of representatives and senate transportation
22 committees by the end of each calendar quarter. The reports must
23 include a summary table for each toll facility that includes: The
24 number of notices of civil penalty issued; the number of recipients who
25 pay before the notice becomes a penalty; the number of recipients who
26 request a hearing and the number who do not respond; workload costs
27 related to hearings; the cost and effectiveness of debt collection
28 activities; and revenues generated from notices of civil penalty.

29 (6) The Tacoma Narrows toll bridge account--state appropriation in
30 this section reflects reductions in management costs of \$1,235,000.

31 (7) The department shall make detailed quarterly expenditure
32 reports available to the transportation commission and to the public on
33 the department's web site using current department resources. The
34 reports must include a summary of toll revenue by facility on all
35 operating toll facilities and high occupancy toll lane systems, and an
36 itemized depiction of the use of that revenue.

37 (8) The department shall make detailed quarterly reports to the
38 governor and the transportation committees of the legislature on the

1 use of consultants in the tolling program. The reports must include
2 the name of the contractor, the scope of work, the type of contract,
3 timelines, deliverables, any new task orders, and any extensions to
4 existing consulting contracts.

5 (9)(a) \$250,000 of the Puget Sound ferry operations account--state
6 appropriation is provided solely for the development of a plan to
7 integrate and transition customer service, reservation, and payment
8 systems currently provided by the marine division to ferry users into
9 the statewide tolling customer service center.

10 (b)(i) The department shall develop a plan that addresses:

11 (A) A phased implementation approach, beginning with "Good To Go"
12 as a payment option for ferry users;

13 (B) The feasibility, schedule, and cost of creating a single
14 account-based system for toll road and ferry users;

15 (C) Transitioning customer service currently provided by the marine
16 division to the statewide tolling customer service center; and

17 (D) Transitioning existing and planned ferry reservation system
18 support from the marine division to the statewide tolling customer
19 service center.

20 (ii) The plan must be provided to the office of financial
21 management and the transportation committees of the legislature by
22 January 14, 2014.

23 (10) *\$120,000 of the state route number 520 corridor account--state*
24 *appropriation and \$120,000 of the Tacoma Narrows toll bridge account--*
25 *state appropriation are provided solely to the department to enter into*
26 *an interagency agreement with the office of financial management to*
27 *manage a contract with a certified public accounting firm to provide*
28 *annual independent audits on the state route number 520 toll bridge, as*
29 *required in master bond resolution 1117, and the Tacoma Narrows bridge.*
30 *The department is not limited to providing technical support on these*
31 *audits within existing funds provided in the tolling program and may*
32 *use resources from elsewhere in the agency.*

**Sec. 209 was partially vetoed. See message at end of chapter.*

33 NEW SECTION. Sec. 210. FOR THE DEPARTMENT OF TRANSPORTATION--
34 INFORMATION TECHNOLOGY--PROGRAM C

35 Transportation Partnership Account--State	
36 Appropriation	\$1,460,000
37 Motor Vehicle Account--State Appropriation	\$68,773,000

1	Multimodal Transportation Account--State	
2	Appropriation	\$363,000
3	Transportation 2003 Account (Nickel Account)--State	
4	Appropriation	\$1,460,000
5	TOTAL APPROPRIATION	\$72,056,000

6 The appropriations in this section are subject to the following
7 conditions and limitations:

8 (1) \$290,000 of the motor vehicle account--state appropriation is
9 provided solely for the department's compliance with its national
10 pollution discharge elimination system permit.

11 (2) \$1,460,000 of the transportation partnership account--state
12 appropriation and \$1,460,000 of the transportation 2003 account (nickel
13 account)--state appropriation are provided solely for maintaining the
14 department's project management reporting system.

15 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF TRANSPORTATION--**
16 **FACILITY MAINTENANCE, OPERATIONS, AND CONSTRUCTION--PROGRAM D--**
17 **OPERATING**

18	Motor Vehicle Account--State Appropriation	\$26,251,000
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19 The appropriation in this section is subject to the following
20 conditions and limitations: \$850,000 of the motor vehicle account--
21 state appropriation is provided solely for the department's compliance
22 with its national pollution discharge elimination system permit.

23 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF TRANSPORTATION--**
24 **AVIATION--PROGRAM F**

25	Aeronautics Account--State Appropriation	\$7,361,000
26	Aeronautics Account--Federal Appropriation	\$2,150,000
27	TOTAL APPROPRIATION	\$9,511,000

28 The appropriations in this section are subject to the following
29 conditions and limitations: \$3,500,000 of the aeronautics account--
30 state appropriation is provided solely for the airport aid grant
31 program, which provides competitive grants to public airports for
32 pavement, safety, planning, and security.

33 NEW SECTION. **Sec. 213. FOR THE DEPARTMENT OF TRANSPORTATION--**

1 **PROGRAM DELIVERY MANAGEMENT AND SUPPORT--PROGRAM H**

2	Motor Vehicle Account--State Appropriation	\$47,607,000
3	Motor Vehicle Account--Federal Appropriation	\$500,000
4	Multimodal Transportation Account--State	
5	Appropriation	\$250,000
6	TOTAL APPROPRIATION	\$48,357,000

7 The appropriations in this section are subject to the following
8 conditions and limitations:

9 (1) \$4,423,000 of the motor vehicle account--state appropriation is
10 provided solely for the department's compliance with its national
11 pollution discharge elimination system permit.

12 (2) The real estate services division of the department must
13 recover the cost of its efforts from sale proceeds and fund additional
14 future sales from those proceeds.

15 (3) The legislature recognizes that the Dryden pit site (WSDOT
16 Inventory Control (IC) No. 2-04-00103) is unused state-owned real
17 property under the jurisdiction of the department, and that the public
18 would benefit significantly from the complete enjoyment of the natural
19 scenic beauty and recreational opportunities available at the site.
20 Therefore, pursuant to RCW 47.12.080, the legislature declares that
21 transferring the property to the department of fish and wildlife for
22 recreational use and fish and wildlife restoration efforts is
23 consistent with the public interest in order to preserve the area for
24 the use of the public and the betterment of the natural environment.
25 The department shall work with the department of fish and wildlife and
26 transfer and convey the Dryden pit site to the department of fish and
27 wildlife as-is for an adjusted fair market value reflecting site
28 conditions, the proceeds of which must be deposited in the motor
29 vehicle fund. The department is not responsible for any costs
30 associated with the cleanup or transfer of this property. This
31 subsection expires June 30, 2014.

32 (4) The legislature recognizes that the trail known as the Apple
33 Capital Loop, and its extensions, serve to separate motor vehicle
34 traffic from pedestrians and bicyclists, increasing motor vehicle
35 safety on existing state route number 28. Consistent with chapter
36 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
37 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
38 and 2-09-04569 to Douglas county and the city of East Wenatchee is

1 consistent with the public interest. The legislature directs the
2 department to transfer the property to Douglas county and the city of
3 East Wenatchee. The department must be paid fair market value for any
4 portions of the transferred real property that is later abandoned,
5 vacated, or ceases to be publicly maintained for trail purposes.
6 Douglas county and the city of East Wenatchee must agree to accept
7 responsibility for trail segments within their respective jurisdictions
8 and sign an agreement with the state that the transfer of these parcels
9 to their respective jurisdictions extinguishes any state obligations to
10 improve, maintain, or be in any way responsible for these assets. This
11 subsection expires June 30, 2014.

12 (5) The legislature recognizes that the SR 20/Cook Road realignment
13 and extension project in the city of Sedro-Woolley will enhance the
14 state and local highway systems by providing a more direct route from
15 state route number 20 and state route number 9 to Interstate 5, and
16 will reduce traffic on state route number 20 and state route number 9,
17 improving the capacity of each route. Furthermore, the legislature
18 declares that certain portions of the department's property held for
19 highway purposes located primarily to the north and west of state route
20 number 20, between state route number 20 to the south and F and S Grade
21 Road to the north, in the incorporated limits of Sedro-Woolley in
22 Skagit county, can help facilitate completion of the project.
23 Therefore, consistent with RCW 47.12.063, 47.12.080, and 47.12.120, it
24 is the intent of the legislature that the department sell, transfer, or
25 lease, as appropriate, to the city of Sedro-Woolley only those portions
26 of the property necessary to construct the project, including necessary
27 staging areas. However, any staging areas should revert to the
28 department within three years of completion of the project.

29 NEW SECTION. **Sec. 214. FOR THE DEPARTMENT OF TRANSPORTATION--**
30 **ECONOMIC PARTNERSHIPS--PROGRAM K**

31 Motor Vehicle Account--State Appropriation \$570,000

32 The appropriation in this section is subject to the following
33 conditions and limitations:

34 (1) The legislature finds that the efforts started in the 2011-2013
35 fiscal biennium regarding the transition to a road usage charge system
36 represent an important first step in the policy and conceptual
37 development of potential alternative systems to fund transportation

1 projects, but that the governance for the development needs
2 clarification. The legislature also finds that significant amounts of
3 research and public education are occurring in similar efforts in
4 several states and that these efforts can and should be leveraged to
5 advance the evaluation in Washington. The legislature intends,
6 therefore, that the transportation commission and its staff lead the
7 policy development of the business case for a road usage charge system,
8 with the goal of providing the business case to the governor and the
9 legislative committees of the legislature in time for inclusion in the
10 2014 supplemental omnibus transportation appropriations act. The
11 legislature intends for additional oversight in the business case
12 development, with guidance from a steering committee as provided in
13 chapter 86, Laws of 2012 for the transportation commission, augmented
14 with participation by the joint transportation committee. The
15 legislature further intends that, through the economic partnerships
16 program, the department continue to address administrative, technical,
17 and conceptual operational issues related to road usage charge systems,
18 and that the department serve as a resource for information gleaned
19 from other states on this topic for the transportation commission's
20 efforts.

21 (2) The economic partnerships program must continue to explore
22 retail partnerships at state-owned park-and-ride facilities, as
23 authorized in RCW 47.04.295.

24 NEW SECTION. **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **HIGHWAY MAINTENANCE--PROGRAM M**

26	Highway Safety Account--State Appropriation	\$10,000,000
27	Motor Vehicle Account--State Appropriation	\$390,040,000
28	Motor Vehicle Account--Federal Appropriation	\$7,000,000
29	TOTAL APPROPRIATION	\$407,040,000

30 The appropriations in this section are subject to the following
31 conditions and limitations:

32 (1) \$377,779,000 of the motor vehicle account--state appropriation
33 and \$10,000,000 of the highway safety account--state appropriation are
34 provided solely for the maintenance program to achieve specific levels
35 of service on the thirty maintenance targets listed by statewide
36 priority in LEAP Transportation Document 2013-4 as developed April 23,
37 2013. Beginning in February 2014, the department shall report to the

1 legislature annually on its updated maintenance accountability process
2 targets and whether or not the department was able to achieve its
3 targets.

4 (2) \$8,450,000 of the motor vehicle account--state appropriation is
5 provided solely for the department's compliance with its national
6 pollution discharge elimination system permit.

7 (3) \$1,305,000 of the motor vehicle account--state appropriation is
8 provided solely for utility fees assessed by local governments as
9 authorized under RCW 90.03.525 for the mitigation of storm water runoff
10 from state highways.

11 (4) The department shall submit a budget decision for the 2014
12 legislative session package that details all costs associated with
13 utility fees assessed by local governments as authorized under RCW
14 90.03.525.

15 (5) \$50,000 of the motor vehicle account--state appropriation is
16 provided solely for clearing and pruning dangerous trees along state
17 route number 542 between mile markers 43 and 48 to prevent safety
18 hazards and delays.

19 (6) \$2,277,000 of the motor vehicle account--state appropriation is
20 provided solely to replace or rehabilitate critical equipment needed to
21 perform snow and ice removal activities and roadway maintenance. These
22 funds may not be used to purchase passenger cars as defined in RCW
23 46.04.382.

24 ***NEW SECTION. Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

26	Motor Vehicle Account--State Appropriation	\$50,504,000
27	Motor Vehicle Account--Federal Appropriation	\$2,050,000
28	Motor Vehicle Account--Private/Local Appropriation	\$250,000
29	TOTAL APPROPRIATION	\$52,804,000

30 The appropriations in this section are subject to the following
31 conditions and limitations:

32 (1) \$6,000,000 of the motor vehicle account--state appropriation is
33 provided solely for low-cost enhancements. The department shall give
34 priority to low-cost enhancement projects that improve safety or
35 provide congestion relief. The department shall prioritize low-cost
36 enhancement projects on a statewide rather than regional basis. By
37 September 1st of each even-numbered year, the department shall provide

1 a report to the legislature listing all low-cost enhancement projects
2 prioritized on a statewide rather than regional basis completed in the
3 prior year.

4 (2) \$9,000,000 of the motor vehicle account--state appropriation is
5 provided solely for the department's incident response program.

6 (3) During the 2013-2015 fiscal biennium, the department shall
7 continue a pilot program that expands private transportation providers'
8 access to high occupancy vehicle lanes. Under the pilot program, when
9 the department reserves a portion of a highway based on the number of
10 passengers in a vehicle, the following vehicles must be authorized to
11 use the reserved portion of the highway if the vehicle has the capacity
12 to carry eight or more passengers, regardless of the number of
13 passengers in the vehicle: (a) Auto transportation company vehicles
14 regulated under chapter 81.68 RCW; (b) passenger charter carrier
15 vehicles regulated under chapter 81.70 RCW, except marked or unmarked
16 stretch limousines and stretch sport utility vehicles as defined under
17 department of licensing rules; (c) private nonprofit transportation
18 provider vehicles regulated under chapter 81.66 RCW; and (d) private
19 employer transportation service vehicles. For purposes of this
20 subsection, "private employer transportation service" means regularly
21 scheduled, fixed-route transportation service that is offered by an
22 employer for the benefit of its employees. Nothing in this subsection
23 is intended to authorize the conversion of public infrastructure to
24 private, for-profit purposes or to otherwise create an entitlement or
25 other claim by private users to public infrastructure.

26 (4) The department shall work with the cities of Lynnwood and
27 Edmonds to provide traffic light synchronization on state route number
28 524.

29 ***(5)(a) Upon receipt of funding from the city of Kenmore, the***
30 ***department shall erect guide signs along Interstate 5, Interstate 405,***
31 ***and state route number 522 directing travelers to Bastyr University and***
32 ***Kenmore International Air Harbor.***

33 ***(b) Within existing resources, and only if the department is***
34 ***replacing existing signs, the department shall erect:***

35 ***(i) Guide signs on Interstate 405 northbound and southbound that***
36 ***include the city of Kenmore; and***

37 ***(ii) Overhead signs on Interstate 5 northbound and southbound that***
38 ***include the city of Kenmore.***

1 (6) The department, in consultation with the Washington state
2 patrol, must continue a pilot program for the state patrol to issue
3 infractions based on information from automated traffic safety cameras
4 in roadway construction zones on state highways. For the purpose of
5 this pilot program, during the 2013-2015 fiscal biennium, a roadway
6 construction zone includes areas where public employees or private
7 contractors may be present or where a driving condition exists that
8 would make it unsafe to drive at higher speeds, such as, when the
9 department is redirecting or realigning lanes on any public roadway
10 pursuant to ongoing construction. The department shall use the
11 following guidelines to administer the program:

12 (a) Automated traffic safety cameras may only take pictures of the
13 vehicle and vehicle license plate and only while an infraction is
14 occurring. The picture must not reveal the face of the driver or of
15 passengers in the vehicle;

16 (b) The department shall plainly mark the locations where the
17 automated traffic safety cameras are used by placing signs on locations
18 that clearly indicate to a driver that he or she is entering a roadway
19 construction zone where traffic laws are enforced by an automated
20 traffic safety camera;

21 (c) Notices of infractions must be mailed to the registered owner
22 of a vehicle within fourteen days of the infraction occurring;

23 (d) The owner of the vehicle is not responsible for the violation
24 if the owner of the vehicle, within fourteen days of receiving
25 notification of the violation, mails to the patrol, a declaration under
26 penalty of perjury, stating that the vehicle involved was, at the time,
27 stolen or in the care, custody, or control of some person other than
28 the registered owner, or any other extenuating circumstances;

29 (e) For purposes of the 2013-2015 fiscal biennium pilot program,
30 infractions detected through the use of automated traffic safety
31 cameras are not part of the registered owner's driving record under RCW
32 46.52.101 and 46.52.120. Additionally, infractions generated by the
33 use of automated traffic safety cameras must be processed in the same
34 manner as parking infractions for the purposes of RCW 3.50.100,
35 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
36 fine issued under this subsection (6) for an infraction generated
37 through the use of an automated traffic safety camera is one hundred

1 thirty-seven dollars. The court shall remit thirty-two dollars of the
2 fine to the state treasurer for deposit into the state patrol highway
3 account; and

4 (f) If a notice of infraction is sent to the registered owner and
5 the registered owner is a rental car business, the infraction must be
6 dismissed against the business if it mails to the patrol, within
7 fourteen days of receiving the notice, a declaration under penalty of
8 perjury of the name and known mailing address of the individual driving
9 or renting the vehicle when the infraction occurred. If the business
10 is unable to determine who was driving or renting the vehicle at the
11 time the infraction occurred, the business must sign a declaration
12 under penalty of perjury to this effect. The declaration must be
13 mailed to the patrol within fourteen days of receiving the notice of
14 traffic infraction. Timely mailing of this declaration to the issuing
15 agency relieves a rental car business of any liability under this
16 section for the notice of infraction. A declaration form suitable for
17 this purpose must be included with each automated traffic safety camera
18 infraction notice issued, along with instructions for its completion
19 and use.

20 (7) \$102,000 of the motor vehicle account--state appropriation is
21 provided solely to replace or rehabilitate critical equipment needed to
22 perform traffic control. These funds may not be used to purchase
23 passenger cars as defined in RCW 46.04.382.
**Sec. 216 was partially vetoed. See message at end of chapter.*

24 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

26	Motor Vehicle Account--State Appropriation	\$27,281,000
27	Motor Vehicle Account--Federal Appropriation	\$30,000
28	Multimodal Transportation Account--State	
29	Appropriation	\$973,000
30	TOTAL APPROPRIATION	\$28,284,000

31 *NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**
32 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

33	Motor Vehicle Account--State Appropriation	\$20,109,000
34	Motor Vehicle Account--Federal Appropriation	\$24,885,000
35	Multimodal Transportation Account--State	
36	Appropriation	\$662,000

1 (v) Examine the levels of decay in the guardrail posts, in terms of
2 location of pockets and the presence of viable decay fungi, through
3 culturing;

4 (vi) Investigate the effects of decay on flexural properties of
5 guardrail posts;

6 (vii) Determine an acceptable level or number of nonstandard posts
7 (i.e. posts with decay pockets that cause post strength to fall below
8 AASHTO standards) that can be present in a guardrail run without
9 compromising performance; and

10 (viii) Conduct thorough data search or identify case studies, or
11 both, on service life of wood guardrail posts. Durability test results
12 should also be factored in when evaluating service life.

13 (b) The study must be submitted to the office of financial
14 management and the transportation committees of the legislature by
15 January 1, 2015.

*Sec. 218 was partially vetoed. See message at end of chapter.

16 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**
17 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

18 Motor Vehicle Account--State Appropriation	\$81,628,000
19 Motor Vehicle Account--Federal Appropriation	\$400,000
20 Multimodal Transportation Account--State Appropriation	\$40,000
21 TOTAL APPROPRIATION	\$82,068,000

22 The appropriations in this section are subject to the following
23 conditions and limitations: The department of enterprise services must
24 provide a detailed accounting of the revenues and expenditures of the
25 self-insurance fund to the transportation committees of the legislature
26 on December 31st and June 30th of each year.

27 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**
28 **PUBLIC TRANSPORTATION--PROGRAM V**

29 State Vehicle Parking Account--State Appropriation	\$452,000
30 Regional Mobility Grant Program Account--State	
31 Appropriation	\$49,948,000
32 Rural Mobility Grant Program Account--State	
33 Appropriation	\$17,000,000
34 Multimodal Transportation Account--State	
35 Appropriation	\$39,057,000
36 Multimodal Transportation Account--Federal	

1 Appropriation \$3,280,000
2 TOTAL APPROPRIATION \$109,737,000

3 The appropriations in this section are subject to the following
4 conditions and limitations:

5 (1) \$25,000,000 of the multimodal transportation account--state
6 appropriation is provided solely for a grant program for special needs
7 transportation provided by transit agencies and nonprofit providers of
8 transportation. Of this amount:

9 (a) \$5,500,000 of the multimodal transportation account--state
10 appropriation is provided solely for grants to nonprofit providers of
11 special needs transportation. Grants for nonprofit providers must be
12 based on need, including the availability of other providers of service
13 in the area, efforts to coordinate trips among providers and riders,
14 and the cost effectiveness of trips provided.

15 (b) \$19,500,000 of the multimodal transportation account--state
16 appropriation is provided solely for grants to transit agencies to
17 transport persons with special transportation needs. To receive a
18 grant, the transit agency must, to the greatest extent practicable,
19 have a maintenance of effort for special needs transportation that is
20 no less than the previous year's maintenance of effort for special
21 needs transportation. Grants for transit agencies must be prorated
22 based on the amount expended for demand response service and route
23 deviated service in calendar year 2011 as reported in the "Summary of
24 Public Transportation - 2011" published by the department of
25 transportation. No transit agency may receive more than thirty percent
26 of these distributions.

27 (2) \$17,000,000 of the rural mobility grant program account--state
28 appropriation is provided solely for grants to aid small cities in
29 rural areas as prescribed in RCW 47.66.100.

30 (3)(a) \$6,000,000 of the multimodal transportation account--state
31 appropriation is provided solely for a vanpool grant program for: (a)
32 Public transit agencies to add vanpools or replace vans; and (b)
33 incentives for employers to increase employee vanpool use. The grant
34 program for public transit agencies will cover capital costs only;
35 operating costs for public transit agencies are not eligible for
36 funding under this grant program. Additional employees may not be
37 hired from the funds provided in this section for the vanpool grant

1 program, and supplanting of transit funds currently funding vanpools is
2 not allowed. The department shall encourage grant applicants and
3 recipients to leverage funds other than state funds.

4 (b) At least \$1,600,000 of the amount provided in this subsection
5 must be used for vanpool grants in congested corridors.

6 (c) \$520,000 of the amount provided in this subsection is provided
7 solely for the purchase of additional vans for use by vanpools serving
8 soldiers and civilian employees at Joint Base Lewis-McChord.

9 (4) \$9,948,000 of the regional mobility grant program account--
10 state appropriation is reappropriated and provided solely for the
11 regional mobility grant projects identified in LEAP Transportation
12 Document 2013-2 ALL PROJECTS - Public Transportation - Program (V) as
13 developed April 23, 2013.

14 (5)(a) \$40,000,000 of the regional mobility grant program account--
15 state appropriation is provided solely for the regional mobility grant
16 projects identified in LEAP Transportation Document 2013-2 ALL PROJECTS
17 - Public Transportation - Program (V) as developed April 23, 2013. The
18 department shall review all projects receiving grant awards under this
19 program at least semiannually to determine whether the projects are
20 making satisfactory progress. Any project that has been awarded funds,
21 but does not report activity on the project within one year of the
22 grant award, must be reviewed by the department to determine whether
23 the grant should be terminated. The department shall promptly close
24 out grants when projects have been completed, and any remaining funds
25 must be used only to fund projects identified in the LEAP
26 transportation document referenced in this subsection. The department
27 shall provide annual status reports on December 15, 2013, and December
28 15, 2014, to the office of financial management and the transportation
29 committees of the legislature regarding the projects receiving the
30 grants. It is the intent of the legislature to appropriate funds
31 through the regional mobility grant program only for projects that will
32 be completed on schedule. A grantee may not receive more than twenty-
33 five percent of the amount appropriated in this subsection. The
34 department shall not approve any increases or changes to the scope of
35 a project for the purpose of a grantee expending remaining funds on an
36 awarded grant.

37 (b) In order to be eligible to receive a grant under (a) of this
38 subsection during the 2013-2015 fiscal biennium, a transit agency must

1 establish a process for private transportation providers to apply for
2 the use of park and ride facilities. For purposes of this subsection,
3 (i) "private transportation provider" means: An auto transportation
4 company regulated under chapter 81.68 RCW; a passenger charter carrier
5 regulated under chapter 81.70 RCW, except marked or unmarked stretch
6 limousines and stretch sport utility vehicles as defined under
7 department of licensing rules; a private nonprofit transportation
8 provider regulated under chapter 81.66 RCW; or a private employer
9 transportation service provider; and (ii) "private employer
10 transportation service" means regularly scheduled, fixed-route
11 transportation service that is offered by an employer for the benefit
12 of its employees.

13 (6) Funds provided for the commute trip reduction (CTR) program may
14 also be used for the growth and transportation efficiency center
15 program.

16 (7) \$6,122,000 of the total appropriation in this section is
17 provided solely for CTR grants and activities. Of this amount:

18 (a) \$3,900,000 of the multimodal transportation account--state
19 appropriation is provided solely for grants to local jurisdictions,
20 selected by the CTR board, for the purpose of assisting employers meet
21 CTR goals;

22 (b) \$1,770,000 of the multimodal transportation account--state
23 appropriation is provided solely for state costs associated with CTR.
24 The department shall develop more efficient methods of CTR assistance
25 and survey procedures; and

26 (c) \$452,000 of the state vehicle parking account--state
27 appropriation is provided solely for CTR-related expenditures,
28 including all expenditures related to the guaranteed ride home program
29 and the STAR pass program.

30 (8) An affected urban growth area that has not previously
31 implemented a commute trip reduction program as of the effective date
32 of this section is exempt from the requirements in RCW 70.94.527.

33 (9) \$200,000 of the multimodal transportation account--state
34 appropriation is contingent on the timely development of an annual
35 report summarizing the status of public transportation systems as
36 identified under RCW 35.58.2796.

1 appropriation is provided solely for the department's compliance with
2 its national pollution discharge elimination system permit.

3 (6) When purchasing uniforms that are required by collective
4 bargaining agreements, the department shall contract with the lowest
5 cost provider.

6 (7) \$3,049,000 of the Puget Sound ferry operations account--state
7 appropriation is provided solely for the operating program share of the
8 \$7,259,000 in lease payments for the ferry division's headquarters
9 building. Consistent with the 2012 facilities oversight plan, the
10 department shall strive to consolidate office space in downtown Seattle
11 by the end of 2015. The department shall consider renewing the lease
12 for the ferry division's current headquarters building only if the
13 lease rate is reduced at least fifty percent and analysis shows that
14 this is the least cost and risk option for the department.
15 Consolidation with other divisions or state agencies, or a reduction in
16 leased space, must also be considered as part of any headquarters lease
17 renewal analysis.

18 (8) \$5,000,000 of the Puget Sound ferry operations account--state
19 appropriation is provided solely for the purchase of a 2013-2015 marine
20 insurance policy. Within this amount, the department is expected to
21 purchase a policy with the lowest deductible possible, while
22 maintaining at least existing coverage levels for ferry vessels, and
23 providing coverage for all terminals.

24 NEW SECTION. **Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**
25 **RAIL--PROGRAM Y--OPERATING**

26 Multimodal Transportation Account--State
27 Appropriation \$32,924,000

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1) \$27,319,000 of the multimodal transportation account--state
31 appropriation is provided solely for the Amtrak service contract and
32 Talgo maintenance contract associated with providing and maintaining
33 state-supported passenger rail service. In recognition of the
34 increased costs the state is expected to absorb due to changes in
35 federal law, the department is directed to analyze the Amtrak contract
36 proposal and find cost saving alternatives. The department shall
37 report to the transportation committees of the legislature before the

1 2014 regular legislative session on its revisions to the Amtrak
 2 contract, including a review of the appropriate costs within the
 3 contract for concession services, policing, host railroad incentives,
 4 and station services and staffing needs. Within thirty days of each
 5 annual cost/revenue reconciliation under the Amtrak service contract,
 6 the department shall report any changes that would affect the state
 7 subsidy amount appropriated in this subsection.

8 (2) Amtrak Cascades runs may not be eliminated.

9 (3) The department shall continue a pilot program by partnering
 10 with the travel industry on the Amtrak Cascades service between
 11 Vancouver, British Columbia, and Seattle to test opportunities for
 12 increasing ridership, maximizing farebox recovery, and stimulating
 13 private investment. The pilot program must run from December 31, 2013,
 14 to December 31, 2014, and evaluate seasonal differences in the program
 15 and the effect of advertising. The department may offer to Washington
 16 universities an opportunity for business students to work as interns on
 17 the analysis of the pilot program process and results. The department
 18 shall report on the results of the pilot program to the office of
 19 financial management and the legislature by January 31, 2015.

20 NEW SECTION. **Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**
 21 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

22	Motor Vehicle Account--State Appropriation	\$8,737,000
23	Motor Vehicle Account--Federal Appropriation	\$2,567,000
24	TOTAL APPROPRIATION	\$11,304,000

25 **TRANSPORTATION AGENCIES--CAPITAL**

26 NEW SECTION. **Sec. 301. FOR THE FREIGHT MOBILITY STRATEGIC**
 27 **INVESTMENT BOARD**

28	Freight Mobility Investment Account--State	
29	Appropriation	\$11,794,000
30	Freight Mobility Multimodal Account--State	
31	Appropriation	\$9,736,000
32	Freight Mobility Multimodal Account--Private/Local	
33	Appropriation	\$1,320,000
34	Highway Safety Account--State Appropriation	\$2,450,000

1 Motor Vehicle Account--State Appropriation \$84,000
2 Motor Vehicle Account--Federal Appropriation \$3,250,000
3 TOTAL APPROPRIATION \$28,634,000

4 The appropriations in this section are subject to the following
5 conditions and limitations: Except as provided otherwise in this
6 section, the total appropriation in this section is provided solely for
7 the implementation of chapter . . . (Substitute House Bill No. 1256),
8 Laws of 2013 (addressing project selection by the freight mobility
9 strategic investment board). If chapter . . . (Substitute House Bill
10 No. 1256), Laws of 2013 is not enacted by June 30, 2013, the amounts
11 provided in this section lapse.

12 NEW SECTION. **Sec. 302. FOR THE WASHINGTON STATE PATROL**

13 State Patrol Highway Account--State Appropriation \$1,926,000

14 The appropriation in this section is subject to the following
15 conditions and limitations:

16 (1) \$200,000 of the state patrol highway account--state
17 appropriation is provided solely for unforeseen emergency repairs on
18 facilities.

19 (2) \$426,000 of the state patrol highway account--state
20 appropriation is provided solely for the replacement of the roofs of
21 the Marysville district office and vehicle inspection building and
22 Spokane East office.

23 (3) \$450,000 of the state patrol highway account--state
24 appropriation is provided solely for upgrades to scales at South Pasco,
25 Deer Park, and Kelso required to meet current certification
26 requirements.

27 (4) \$850,000 of the state patrol highway account--state
28 appropriation is provided solely for the replacement of the damaged and
29 unrepairable scale house at the Everett southbound I-5 weigh scales,
30 including equipment, weigh-in-motion technology, and an ALPR camera.

31 (5) The Washington state patrol, in cooperation with the Washington
32 state department of transportation, must study the federal funding
33 options available for weigh station construction and improvements on
34 the national highway system. A study report must be provided by July
35 1, 2014, to the office of financial management and the transportation
36 committees of the legislature with recommendations on utilizing federal
37 funds for weigh station projects.

1 NEW SECTION. **Sec. 303. FOR THE COUNTY ROAD ADMINISTRATION BOARD**

2 Rural Arterial Trust Account--State

3 Appropriation \$35,894,000

4 Highway Safety Account--State Appropriation \$10,000,000

5 Motor Vehicle Account--State Appropriation \$706,000

6 County Arterial Preservation Account--State

7 Appropriation \$30,000,000

8 TOTAL APPROPRIATION \$76,600,000

9 NEW SECTION. **Sec. 304. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

10 Small City Pavement and Sidewalk Account--State

11 Appropriation \$3,500,000

12 Highway Safety Account--State Appropriation \$10,000,000

13 Transportation Improvement Account--State

14 Appropriation \$174,225,000

15 TOTAL APPROPRIATION \$187,725,000

16 The appropriations in this section are subject to the following
17 conditions and limitations: The highway safety account--state
18 appropriation is provided solely for:

- 19 (1) The arterial preservation program to help low tax-based,
20 medium-sized cities preserve arterial pavements;
- 21 (2) The small city pavement program to help cities meet urgent
22 preservation needs; and
- 23 (3) The small city low-energy street light retrofit demonstration
24 program.

25 NEW SECTION. **Sec. 305. FOR THE DEPARTMENT OF TRANSPORTATION--
26 FACILITIES--PROGRAM D--(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--
27 CAPITAL**

28 Transportation Partnership Account--State

29 Appropriation \$13,425,000

30 Motor Vehicle Account--State Appropriation \$8,106,000

31 TOTAL APPROPRIATION \$21,531,000

32 The appropriations in this section are subject to the following
33 conditions and limitations:

- 34 (1) The legislature recognizes that the Marginal Way site (King
35 county parcel numbers 3024049182 & 5367202525) is surplus state-owned
36 real property under the jurisdiction of the department and that the

1 public would benefit significantly if this site is used to provide
2 important social services. Therefore, the legislature declares that
3 committing the Marginal Way site to this use is consistent with the
4 public interest.

5 Pursuant to RCW 47.12.063, the department shall work with the owner
6 of King county parcel number 7643400010, which abuts both parcels of
7 the Marginal Way site, and shall convey the Marginal Way site to that
8 abutting property owner for the appraised fair market value of the
9 parcels, the proceeds of which must be deposited in the motor vehicle
10 fund. The conveyance is conditional upon the purchaser's agreement to
11 commit the use of the Marginal Way site to operations with the goal of
12 ending hunger in western Washington. The department may not make this
13 conveyance before September 1, 2013, and may not make this conveyance
14 after January 15, 2014.

15 The Washington department of transportation is not responsible for
16 any costs associated with the cleanup or transfer of the Marginal Way
17 site.

18 (2) \$13,425,000 of the transportation partnership account--state
19 appropriation is provided solely for the construction of a new traffic
20 management and emergency operations center on property owned by the
21 department on Dayton Avenue in Shoreline (project 100010T). Consistent
22 with the office of financial management's 2012 study, it is the intent
23 of the legislature to appropriate no more than \$15,000,000 for the
24 total construction costs. The department shall report to the
25 transportation committees of the legislature and the office of
26 financial management by June 30, 2014, on the progress of the
27 construction of the traffic management and emergency operations center,
28 including a schedule for terminating the current lease of the Goldsmith
29 building in Seattle.

30 ***NEW SECTION. Sec. 306. FOR THE DEPARTMENT OF TRANSPORTATION--**
31 **IMPROVEMENTS--PROGRAM I**

32	Multimodal Transportation Account--State	
33	Appropriation	\$1,000,000
34	Transportation Partnership Account--State	
35	Appropriation	\$1,536,032,000
36	Motor Vehicle Account--State Appropriation	\$61,508,000
37	Motor Vehicle Account--Federal Appropriation	\$473,359,000

1	Motor Vehicle Account--Private/Local Appropriation	\$208,452,000
2	Transportation 2003 Account (Nickel Account)--State	
3	Appropriation	\$242,253,000
4	State Route Number 520 Corridor Account--State	
5	Appropriation	\$737,205,000
6	State Route Number 520 Corridor Account--Federal	
7	Appropriation	\$300,000,000
8	Special Category C Account--State Appropriation	\$124,000
9	TOTAL APPROPRIATION	\$3,559,933,000

10 The appropriations in this section are subject to the following
11 conditions and limitations:

12 (1) Except as provided otherwise in this section, the entire
13 transportation 2003 account (nickel account) appropriation and the
14 entire transportation partnership account appropriation are provided
15 solely for the projects and activities as listed by fund, project, and
16 amount in LEAP Transportation Document 2013-1 as developed April 23,
17 2013, Program - Highway Improvement Program (I). However, limited
18 transfers of specific line-item project appropriations may occur
19 between projects for those amounts listed subject to the conditions and
20 limitations in section 603 of this act.

21 (2) Except as provided otherwise in this section, the entire motor
22 vehicle account--state appropriation and motor vehicle account--federal
23 appropriation are provided solely for the projects and activities
24 listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed
25 April 23, 2013, Program - Highway Improvement Program (I). It is the
26 intent of the legislature to direct the department to give first
27 priority of federal funds gained through efficiencies or the
28 redistribution process to the "Contingency (Unfunded) Highway
29 Preservation Projects" as identified in LEAP Transportation Document
30 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway
31 Preservation Program (P). However, no additional federal funds may be
32 allocated to the I-5/Columbia River Crossing project (400506A).

33 (3) Within the motor vehicle account--state appropriation and
34 motor vehicle account--federal appropriation, the department may
35 transfer funds between programs I and P, except for funds that are
36 otherwise restricted in this act.

37 (4) The transportation 2003 account (nickel account)--state

1 appropriation includes up to \$217,604,000 in proceeds from the sale of
2 bonds authorized by RCW 47.10.861.

3 (5) The transportation partnership account--state appropriation
4 includes up to \$1,156,217,000 in proceeds from the sale of bonds
5 authorized in RCW 47.10.873.

6 (6) The motor vehicle account--state appropriation includes up to
7 \$30,000,000 in proceeds from the sale of bonds authorized in RCW
8 47.10.843.

9 (7)(a) *\$1,334,000 of the transportation partnership account--state*
10 *appropriation, \$48,433,500 of the motor vehicle account--private/local*
11 *appropriation, and \$32,020,000 of the motor vehicle account--federal*
12 *appropriation are provided solely for the I-5/Columbia River Crossing*
13 *project (400506A). The federal funds appropriated in this subsection*
14 *reflect the maximum amount of federal funds that may be allocated to*
15 *this project. Section 603 of this act does not apply to the I-*
16 *5/Columbia River Crossing project (400506A) and, therefore, funds shall*
17 *not be transferred to this project. Of the amounts appropriated in*
18 *this subsection, \$1,254,000 of the transportation partnership account--*
19 *state appropriation, \$30,099,000 of the motor vehicle account--federal*
20 *appropriation, and \$45,528,000 of the motor vehicle account--*
21 *private/local appropriation in this subsection are held in unallotted*
22 *status and are contingent upon the United States coast guard approving*
23 *the I-5/Columbia River Crossing project's permit. If the permit is*
24 *approved, the director of the office of financial management may allot*
25 *the funds. If the permit is not approved, the appropriations in this*
26 *subsection must be put into allotted status by the director of the*
27 *office of financial management and may be used only for the development*
28 *of a new supplemental environmental impact statement to redesign the*
29 *Interstate 5 bridge between Washington and Oregon in accordance with*
30 *the requirements of the United States coast guard. The department*
31 *shall not submit the supplemental environmental impact statement to the*
32 *appropriate federal agencies for approval until July 1, 2014.*

33 (b) *It is the intent of the legislature that Washington and Oregon*
34 *have equal funding commitments and equal total expenditures to date on*
35 *the shared components of the I-5/Columbia River Crossing project. The*
36 *department shall provide a quarterly report on this project beginning*
37 *September 30, 2013. The report must include:*

1 (i) An update on preliminary engineering and right-of-way
2 acquisition for the previous quarter;

3 (ii) Planned objectives for right-of-way and preliminary
4 engineering for the ensuing quarter;

5 (iii) An updated comparison of the total appropriation authority
6 for the project by state;

7 (iv) An updated comparison of the total expenditures to date on the
8 project by state; and

9 (v) The committed funding provided by the state of Oregon to right-
10 of-way acquisition.

11 (8)(a) \$5,000,000 of the motor vehicle account--federal
12 appropriation and \$200,000 of the motor vehicle account--state
13 appropriation are provided solely for the I-90 Comprehensive Tolling
14 Study and Environmental Review project (100067T). The department shall
15 prepare a detailed environmental impact statement that complies with
16 the national environmental policy act regarding tolling Interstate 90
17 between Interstate 5 and Interstate 405 for the purposes of both
18 managing traffic and providing funding for the construction of the
19 unfunded state route number 520 from Interstate 5 to Medina project.
20 As part of the preparation of the statement, the department must review
21 any impacts to the network of highways and roads surrounding Lake
22 Washington. In developing this statement, the department must provide
23 significant outreach to potential affected communities. The department
24 may consider traffic management options that extend as far east as
25 Issaquah.

26 (b)(i) As part of the project in this subsection (8), the
27 department shall perform a study of all funding alternatives to tolling
28 Interstate 90 to provide funding for construction of the unfunded state
29 route number 520 and explore and evaluate options to mitigate the
30 effect of tolling on affected residents and all other users of the
31 network of highways and roads surrounding Lake Washington including,
32 but not limited to:

33 (A) Allowing all Washington residents to traverse a portion of the
34 tolled section of Interstate 90 without paying a toll. Residents may
35 choose either (I) the portion of Interstate 90 between the easternmost
36 landing west of Mercer Island and the westernmost landing on Mercer
37 Island, or (II) the portion of Interstate 90 between the westernmost

1 landing east of Mercer Island and the easternmost landing on Mercer
2 Island;

3 (B) Assessing a toll only when a driver traverses, in either
4 direction, the entire portion of Interstate 90 between the easternmost
5 landing west of Mercer Island and the westernmost landing east of
6 Mercer Island; and

7 (C) Allowing affected residents to choose one portion of the tolled
8 section of Interstate 90 upon which they may travel without paying a
9 toll. Residents may choose either (I) the portion of Interstate 90
10 between the easternmost landing west of Mercer Island and the
11 westernmost landing on Mercer Island, or (II) the portion of Interstate
12 90 between the westernmost landing east of Mercer Island and the
13 easternmost landing on Mercer Island.

14 (ii) The department may also consider any alternative mitigation
15 options that conform to the purpose of this subsection (8).

16 (iii) For the purposes of this subsection (8), "affected resident"
17 means anyone who must use a portion of Interstate 90 west of Interstate
18 405 upon which tolling is considered in order to access necessary
19 medical services, such as a hospital.

20 (9) \$541,901,000 of the transportation partnership account--state
21 appropriation, \$144,954,000 of the motor vehicle account--federal
22 appropriation, \$129,779,000 of the motor vehicle account--private/local
23 appropriation, and \$78,004,000 of the transportation 2003 account
24 (nickel account)--state appropriation are provided solely for the SR
25 99/Alaskan Way Viaduct - Replacement project (809936Z).

26 (10) The department shall reconvene an expert review panel of no
27 more than three members as described under RCW 47.01.400 for the
28 purpose of updating the work that was previously completed by the panel
29 on the Alaskan Way viaduct replacement project and to ensure that an
30 appropriate and viable financial plan is created and regularly
31 reviewed. The expert review panel must be selected cooperatively by
32 the chairs of the senate and house of representatives transportation
33 committees, the secretary of transportation, and the governor. The
34 expert review panel must report findings and recommendations to the
35 transportation committees of the legislature, the governor's Alaskan
36 Way viaduct project oversight committee, and the transportation
37 commission annually until the project is operationally complete. This

1 subsection takes effect if chapter ... (Substitute House Bill No.
2 1957), Laws of 2013 is not enacted by June 30, 2013.

3 (11) \$7,408,000 of the transportation partnership account--state
4 appropriation, \$14,594,000 of the transportation 2003 account (nickel
5 account)--state appropriation, \$3,730,000 of the motor vehicle
6 account--state appropriation, \$1,000,000 of the multimodal
7 transportation account--state appropriation, and \$41,395,000 of the
8 motor vehicle account--federal appropriation are provided solely for
9 the US 395/North Spokane Corridor projects (600010A & 600003A). Any
10 future savings on the projects must stay on the US 395/Interstate 90
11 corridor and be made available to the current phase of the North
12 Spokane corridor projects or any future phase of the projects.

13 (12) \$114,369,000 of the transportation partnership account--state
14 appropriation and \$53,755,000 of the transportation 2003 account
15 (nickel account)--state appropriation are provided solely for the I-
16 405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This
17 project must be completed as soon as practicable as a design-build
18 project. Any future savings on this project or other Interstate 405
19 corridor projects must stay on the Interstate 405 corridor and be made
20 available to either the I-405/SR 167 Interchange - Direct Connector
21 project (140504C) or the I-405 Renton to Bellevue project.

22 (13)(a) The SR 520 Bridge Replacement and HOV project (0BI1003) is
23 supported over time from multiple sources, including a \$300,000,000
24 TIFIA loan, \$819,524,625 in Garvee bonds, toll revenues, state bonds,
25 interest earnings, and other miscellaneous sources.

26 (b) The state route number 520 corridor account--state
27 appropriation includes up to \$668,142,000 in proceeds from the sale of
28 bonds authorized in RCW 47.10.879 and 47.10.886.

29 (c) The state route number 520 corridor account--federal
30 appropriation includes up to \$300,000,000 in proceeds from the sale of
31 bonds authorized in RCW 47.10.879 and 47.10.886.

32 (d) \$153,124,000 of the transportation partnership account--state
33 appropriation, \$300,000,000 of the state route number 520 corridor
34 account--federal appropriation, and \$737,205,000 of the state route
35 number 520 corridor account--state appropriation are provided solely
36 for the SR 520 Bridge Replacement and HOV project (0BI1003). Of the
37 amounts appropriated in this subsection (13)(d), \$105,085,000 of the
38 state route number 520 corridor account--federal appropriation and

1 \$227,415,000 of the state route number 520 corridor account--state
2 appropriation must be put into unallotted status and are subject to
3 review by the office of financial management. The director of the
4 office of financial management shall consult with the joint
5 transportation committee prior to making a decision to allot these
6 funds.

7 (e) When developing the financial plan for the project, the
8 department shall assume that all maintenance and operation costs for
9 the new facility are to be covered by tolls collected on the toll
10 facility and not by the motor vehicle account.

11 (14) \$1,100,000 of the motor vehicle account--federal appropriation
12 is provided solely for the 31st Ave SW Overpass Widening and
13 Improvement project (L1100048).

14 (15) \$22,602,000 of the motor vehicle account--state appropriation
15 is provided solely to advance the design, preliminary engineering, and
16 rights-of-way acquisition for the priority projects identified in LEAP
17 Transportation Document 2013-3 as developed April 23, 2013. Funds must
18 be used to advance the emergent, initial development of these projects
19 for the purpose of expediting delivery of the associated major
20 investments when funding for such investments becomes available.
21 Funding may be reallocated between projects to maximize the
22 accomplishment of design and preliminary engineering work and
23 rights-of-way acquisition, provided that all projects are addressed.
24 It is the intent of the legislature that, while seeking to maximize the
25 outcomes in this section, the department shall provide for continuity
26 of both the state and consulting engineer workforce, while
27 strategically utilizing private sector involvement to ensure
28 consistency with the department's business plan for staffing in the
29 highway construction program in the current fiscal biennium.

30 (16) If a planned roundabout in the vicinity of state route number
31 526 and 84th Street SW would divert commercial traffic onto
32 neighborhood streets, the department may not proceed with improvements
33 at state route number 526 and 84th Street SW until the traffic impacts
34 in the vicinity of state route number 526 and 40th Avenue West are
35 addressed.

36 (17) The legislature finds that there are sixteen companies
37 involved in wood preserving in the state that employ four hundred
38 workers and have an annual payroll of fifteen million dollars. Prior

1 to the department's switch to steel guardrails, ninety percent of the
2 twenty-five hundred mile guardrail system was constructed of preserved
3 wood and one hundred ten thousand wood guardrail posts were produced
4 annually for state use. Moreover, the policy of using steel posts
5 requires the state to use imported steel. Given these findings, where
6 practicable, and until June 30, 2015, the department shall include the
7 design option to use wood guardrail posts, in addition to steel posts,
8 in new guardrail installations. The selection of posts must be
9 consistent with the agency design manual policy that existed before
10 December 2009.

11 (18) The legislature finds that "right-sizing" is a lean,
12 metric-based approach to determining project investments. This concept
13 entails compromise between project cost and design, incorporating local
14 community needs, desired outcomes, and available funding. Furthermore,
15 the legislature finds that the concepts and principles the department
16 has utilized in the safety analyst program have been effective tools to
17 prioritize projects and reduce project costs. Therefore, the
18 department shall establish a pilot project on the SR 3/Belfair Bypass
19 - New Alignment (300344C) to begin implementing the concept of
20 "right-sizing" in the highway construction program.

21 (19) For urban corridors that are all or partially within a
22 metropolitan planning organization boundary, for which the department
23 has not initiated environmental review, and that require an
24 environmental impact statement, at least one alternative must be
25 consistent with the goals set out in RCW 47.01.440.

26 (20) The department shall itemize all future requests for the
27 construction of buildings on a project list and submit them through the
28 transportation executive information system as part of the department's
29 2014 budget submittal. It is the intent of the legislature that new
30 facility construction must be transparent and not appropriated within
31 larger highway construction projects.

32 (21) \$28,963,000 of the motor vehicle account--state appropriation
33 is provided solely for improvement program support activities
34 (095901X). \$18,000,000 of this amount must be held in unallotted
35 status until the office of financial management certifies that the
36 department's 2014 supplemental budget request conforms to the terms of
37 subsection (20) of this section.

1 (22) The department shall report to the chairs of the senate
2 transportation committee and the house of representatives
3 transportation committee whenever the department is in negotiations to
4 provide a public or private entity mitigation for ten million dollars
5 or more.

6 (23) Any new advisory group that the department convenes during the
7 2013-2015 fiscal biennium must be representative of the interests of
8 the entire state of Washington.
*Sec. 306 was partially vetoed. See message at end of chapter.

9 NEW SECTION. **Sec. 307. FOR THE DEPARTMENT OF TRANSPORTATION--**
10 **PRESERVATION--PROGRAM P**

11 Transportation Partnership Account--State

12 Appropriation	\$36,480,000
13 Highway Safety Account--State Appropriation	\$10,000,000
14 Motor Vehicle Account--State Appropriation	\$58,503,000
15 Motor Vehicle Account--Federal Appropriation	\$580,062,000
16 Motor Vehicle Account--Private/Local Appropriation	\$11,270,000
17 Transportation 2003 Account (Nickel Account)--State	
18 Appropriation	\$2,285,000
19 TOTAL APPROPRIATION	\$698,600,000

20 The appropriations in this section are subject to the following
21 conditions and limitations:

22 (1) Except as provided otherwise in this section, the entire
23 transportation 2003 account (nickel account) appropriation and the
24 entire transportation partnership account appropriation are provided
25 solely for the projects and activities as listed by fund, project, and
26 amount in LEAP Transportation Document 2013-1 as developed April 23,
27 2013, Program - Highway Preservation Program (P). However, limited
28 transfers of specific line-item project appropriations may occur
29 between projects for those amounts listed subject to the conditions and
30 limitations in section 603 of this act.

31 (2) Except as provided otherwise in this section, the entire motor
32 vehicle account--state appropriation and motor vehicle account--federal
33 appropriation are provided solely for the projects and activities
34 listed in LEAP Transportation Document 2013-2 ALL PROJECTS as developed
35 April 23, 2013, Program - Highway Preservation Program (P). It is the
36 intent of the legislature to direct the department to give first
37 priority of federal funds gained through efficiencies or the

1 redistribution process to the "Contingency (Unfunded) Highway
2 Preservation Projects" as identified in LEAP Transportation Document
3 2013-2 ALL PROJECTS as developed April 23, 2013, Program - Highway
4 Preservation Program (P). However, no additional federal funds may be
5 allocated to the I-5/Columbia River Crossing project (400506A).

6 (3) Within the motor vehicle account--state appropriation and motor
7 vehicle account--federal appropriation, the department may transfer
8 funds between programs I and P, except for funds that are otherwise
9 restricted in this act.

10 (4) \$27,278,000 of the motor vehicle account--federal appropriation
11 and \$1,141,000 of the motor vehicle account--state appropriation are
12 provided solely for the SR 167/Puyallup River Bridge Replacement
13 project (316725A). This project must be completed as a design-build
14 project. The department must work with local jurisdictions and the
15 community during the environmental review process to develop
16 appropriate esthetic design elements, at no additional cost to the
17 department, and traffic management plans pertaining to this project.
18 The department must report to the transportation committees of the
19 legislature on estimated cost and/or time savings realized as a result
20 of using the design-build process.

21 (5) The department shall examine the use of electric arc furnace
22 slag for use as an aggregate for new roads and paving projects in high
23 traffic areas and report back to the legislature on its current use in
24 other areas of the country and any characteristics that can provide
25 greater wear resistance and skid resistance in new pavement
26 construction.

27 NEW SECTION. **Sec. 308. FOR THE DEPARTMENT OF TRANSPORTATION--**
28 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

29	Motor Vehicle Account--State Appropriation	\$3,194,000
30	Motor Vehicle Account--Federal Appropriation	\$7,959,000
31	TOTAL APPROPRIATION	\$11,153,000

32 The appropriations in this section are subject to the following
33 conditions and limitations: \$694,000 of the motor vehicle account--
34 state appropriation is provided solely for project 000005Q as state
35 matching funds for federally selected competitive grants or
36 congressional earmark projects. These moneys must be placed into

1 reserve status until such time as federal funds are secured that
2 require a state match.

3 NEW SECTION. **Sec. 309. FOR THE DEPARTMENT OF TRANSPORTATION--**
4 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

5	Puget Sound Capital Construction Account--State	
6	Appropriation	\$53,036,000
7	Puget Sound Capital Construction Account--Federal	
8	Appropriation	\$91,692,000
9	Puget Sound Capital Construction Account--Private/Local	
10	Appropriation	\$1,145,000
11	Multimodal Transportation Account--State Appropriation . . .	\$1,534,000
12	Transportation 2003 Account (Nickel Account)--State	
13	Appropriation	\$143,941,000
14	TOTAL APPROPRIATION	\$291,348,000

15 The appropriations in this section are subject to the following
16 conditions and limitations:

17 (1) Except as provided otherwise in this section, the entire
18 appropriations in this section are provided solely for the projects and
19 activities as listed in LEAP Transportation Document 2013-2 ALL
20 PROJECTS as developed April 23, 2013, Program - Washington State
21 Ferries Capital Program (W).

22 (2) The Puget Sound capital construction account--state
23 appropriation includes up to \$20,000,000 in proceeds from the sale of
24 bonds authorized in RCW 47.10.843.

25 (3) \$143,633,000 of the transportation 2003 account (nickel
26 account)--state appropriation is provided solely for the acquisition of
27 two 144-car vessels (projects L2200038 and L2200039). The department
28 shall use as much already procured equipment as practicable on the 144-
29 car vessels.

30 (4) \$8,270,000 of the Puget Sound capital construction account--
31 federal appropriation, \$3,935,000 of the Puget Sound capital
32 construction account--state appropriation, and \$1,534,000 of the
33 multimodal transportation account--state appropriation are provided
34 solely for the Mukilteo ferry terminal (project 952515P). To the
35 greatest extent practicable, the department shall seek additional
36 federal funding for this project.

1 (5) \$4,000,000 of the Puget Sound capital construction account--
2 state appropriation is provided solely for emergency capital repair
3 costs (project 999910K). Funds may only be spent after approval by the
4 office of financial management.

5 (6) Consistent with RCW 47.60.662, which requires the Washington
6 state ferry system to collaborate with passenger-only ferry and transit
7 providers to provide service at existing terminals, the department
8 shall ensure that multimodal access, including for passenger-only
9 ferries and transit service providers, is not precluded by any future
10 modifications at the terminal.

11 (7) \$3,800,000 of the Puget Sound capital construction account--
12 state appropriation is provided solely for the reservation and
13 communications system projects (L200041 & L200042).

14 (8) \$4,210,000 of the Puget Sound capital construction account--
15 state appropriation is provided solely for the capital program share of
16 \$7,259,000 in lease payments for the ferry division's headquarters
17 building. Consistent with the 2012 facilities oversight plan, the
18 department shall strive to consolidate office space in downtown Seattle
19 by the end of 2015. The department shall consider renewing the lease
20 for the ferry division's current headquarters building only if the
21 lease rate is reduced at least fifty percent and analysis shows that
22 this is the least cost and risk option for the department.
23 Consolidation with other divisions or state agencies, or a reduction in
24 leased space, must also be considered as part of any headquarters lease
25 renewal analysis.

26 (9) \$21,950,000 of the total appropriation is for preservation work
27 on the Hyak super class vessel (project 944431D), including
28 installation of a power management system and more efficient propulsion
29 systems, that in combination are anticipated to save up to twenty
30 percent in fuel and reduce maintenance costs. Upon completion of this
31 project, the department shall provide a report to the transportation
32 committees of the legislature on the fuel and maintenance savings
33 achieved for this vessel and the potential to save additional funds
34 through other vessel conversions.

35 NEW SECTION. **Sec. 310. FOR THE DEPARTMENT OF TRANSPORTATION--**
36 **RAIL--PROGRAM Y--CAPITAL**

37 Essential Rail Assistance Account--State

1	Appropriation	\$861,000
2	Transportation Infrastructure Account--State	
3	Appropriation	\$8,582,000
4	Multimodal Transportation Account--State	
5	Appropriation	\$33,156,000
6	Multimodal Transportation Account--Federal	
7	Appropriation	\$333,881,000
8	TOTAL APPROPRIATION	\$376,480,000

9 The appropriations in this section are subject to the following
10 conditions and limitations:

11 (1)(a) Except as provided otherwise in this section, the entire
12 appropriations in this section are provided solely for the projects and
13 activities as listed by project and amount in LEAP Transportation
14 Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program -
15 Rail Capital Program (Y).

16 (b) Within the amounts provided in this section, \$7,332,000 of the
17 transportation infrastructure account--state appropriation is for low-
18 interest loans through the freight rail investment bank program
19 identified in the LEAP transportation document referenced in (a) of
20 this subsection. The department shall issue freight rail investment
21 bank program loans with a repayment period of no more than ten years,
22 and only so much interest as is necessary to recoup the department's
23 costs to administer the loans.

24 (c) Within the amounts provided in this section, \$2,439,000 of the
25 multimodal transportation account--state appropriation, \$1,250,000 of
26 the transportation infrastructure account--state appropriation, and
27 \$311,000 of the essential rail assistance account--state appropriation
28 are for statewide emergent freight rail assistance projects identified
29 in the LEAP transportation document referenced in (a) of this
30 subsection.

31 (2) Unsuccessful 2012 freight rail assistance program grant
32 applicants may be awarded freight rail investment bank program loans,
33 if eligible. If any funds remain in the freight rail investment bank
34 or freight rail assistance program reserves (projects F01001A and
35 F01000A), or any approved grants or loans are terminated, the
36 department shall issue a call for projects for the freight rail
37 investment bank loan program and the freight rail assistance grant
38 program, and shall evaluate the applications in a manner consistent

1 with past practices as specified in section 309, chapter 367, Laws of
2 2011. By November 1, 2013, the department shall submit a prioritized
3 list of recommended projects to the office of financial management and
4 the transportation committees of the legislature.

5 (3) \$314,647,000 of the multimodal transportation account--federal
6 appropriation and \$4,867,000 of the multimodal transportation account--
7 state appropriation are provided solely for expenditures related to
8 passenger high-speed rail grants. The multimodal transportation
9 account--state appropriation funds reflect one and one-half percent of
10 the total project funds, and are provided solely for expenditures that
11 are not eligible for federal reimbursement.

12 (4) As allowable under federal rail authority rules and existing
13 competitive bidding practices, when purchasing new train sets, the
14 department shall give preference to bidders that propose train sets
15 with characteristics and maintenance requirements most similar to those
16 currently owned by the department.

17 (5) The department shall provide quarterly reports to the office of
18 financial management and the transportation committees of the
19 legislature regarding applications that the department submits for
20 federal funds and the status of such applications.

21 (6)(a) \$550,000 of the essential rail assistance account--state
22 appropriation and \$1,893,000 of the multimodal transportation account--
23 state appropriation are provided solely for the purpose of
24 rehabilitation and maintenance of the Palouse river and Coulee City
25 railroad line. The department shall complete an evaluation and
26 assessment of future maintenance needs on the line to ensure
27 appropriate levels of state investment.

28 (b) Expenditures from the essential rail assistance account--state
29 appropriation in this section may not exceed the combined total of:

30 (i) Revenues deposited into the essential rail assistance account
31 from leases and sale of property pursuant to RCW 47.76.290; and

32 (ii) Revenues transferred from the miscellaneous program account to
33 the essential rail assistance account, pursuant to RCW 47.76.360, for
34 the purpose of sustaining the grain train program by maintaining the
35 Palouse river and Coulee City railroad line.

36 (7) \$31,500,000 of the multimodal transportation account--federal
37 appropriation is provided solely for the purchase of two new train sets
38 for the state-supported intercity passenger rail service. The

1 department must apply for any federal waivers required to purchase the
2 new train sets, as allowable under existing competitive bidding
3 practices, and seek federal funds in addition to those available from
4 the high-speed rail grants.

5 NEW SECTION. **Sec. 311. FOR THE DEPARTMENT OF TRANSPORTATION--**
6 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

7	Highway Infrastructure Account--State Appropriation	\$207,000
8	Highway Infrastructure Account--Federal	
9	Appropriation	\$1,602,000
10	Freight Mobility Investment Account--State	
11	Appropriation	\$11,794,000
12	Transportation Partnership Account--State	
13	Appropriation	\$7,214,000
14	Highway Safety Account--State Appropriation	\$11,255,000
15	Motor Vehicle Account--State Appropriation	\$6,918,000
16	Motor Vehicle Account--Federal Appropriation	\$28,413,000
17	Freight Mobility Multimodal Account--State	
18	Appropriation	\$9,736,000
19	Freight Mobility Multimodal Account--Private/Local	
20	Appropriation	\$1,320,000
21	Multimodal Transportation Account--State	
22	Appropriation	\$13,913,000
23	TOTAL APPROPRIATION	\$92,372,000

24 The appropriations in this section are subject to the following
25 conditions and limitations:

26 (1) Except as provided otherwise in this section, the entire
27 appropriations in this section are provided solely for the projects and
28 activities as listed by project and amount in LEAP Transportation
29 Document 2013-2 ALL PROJECTS as developed April 23, 2013, Program -
30 Local Programs (Z).

31 (2) With each department budget submittal, the department shall
32 provide an update on the status of the repayment of the twenty million
33 dollars of unobligated federal funds authority advanced by the
34 department in September 2010 to the city of Tacoma for the Murray
35 Morgan/11th Street bridge project. The department may negotiate with
36 the city of Tacoma an agreement for repayment of the funds over a
37 period of up to twenty-five years at terms agreed upon by the

1 department and the city. The funds previously advanced by the
2 department to the city are not to be considered a general obligation of
3 the city but instead an obligation payable from identified revenues set
4 aside for the repayment of the funds.

5 (3) The amounts identified in the LEAP transportation document
6 referenced under subsection (1) of this section for pedestrian
7 safety/safe routes to school are as follows:

8 (a) \$12,160,000 of the multimodal transportation account--state
9 appropriation, \$6,824,000 of the transportation partnership account--
10 state appropriation, and \$62,000 of the motor vehicle account--federal
11 appropriation are provided solely for pedestrian and bicycle safety
12 program projects.

13 (b) \$11,700,000 of the motor vehicle account--federal
14 appropriation, \$5,200,000 of the motor vehicle account--state
15 appropriation, and \$6,750,000 of the highway safety account--state
16 appropriation are provided solely for newly selected safe routes to
17 school projects, and \$3,400,000 of the motor vehicle account--federal
18 appropriation and \$2,055,000 of the highway safety account--state
19 appropriation are reappropriated for safe routes to school projects
20 selected in the previous biennia. The amount provided for new projects
21 is consistent with federal funding levels from the 2011-2013 omnibus
22 transportation appropriations act and the intent of the fee increases
23 in chapter 74, Laws of 2012 and chapter 80, Laws of 2012. The motor
24 vehicle account--state appropriation in this subsection (3)(b) is the
25 amount made available by the repeal of the deduction from motor vehicle
26 fuel tax liability for handling losses of motor vehicle fuel, as
27 identified in chapter . . . (Substitute House Bill No. 2041), Laws of
28 2013 (handling losses of motor vehicle fuel). If chapter . . .
29 (Substitute House Bill No. 2041), Laws of 2013 is not enacted by June
30 30, 2013, the motor vehicle account--state appropriation in this
31 subsection (3)(b) lapses.

32 (4) \$84,000 of the motor vehicle account--state appropriation,
33 \$3,250,000 of the motor vehicle account--federal appropriation,
34 \$2,450,000 of the highway safety account--state appropriation,
35 \$11,794,000 of the freight mobility investment account--state
36 appropriation, \$9,736,000 of the freight mobility multimodal account--
37 state appropriation, and \$1,320,000 of the freight mobility multimodal
38 account--private/local appropriation are provided solely for the

1 projects and activities as listed by project and amount in LEAP
2 Transportation Document 2013-B as developed April 23, 2013. If chapter
3 . . . (Substitute House Bill No. 1256), Laws of 2013 is enacted by June
4 30, 2013, the amounts provided in this subsection lapse.

5 (5) The department may enter into contracts and make expenditures
6 for projects on behalf of and selected by the freight mobility
7 strategic investment board from the amounts provided in section 301 of
8 this act.

9 (6) The department shall submit a report to the transportation
10 committees of the legislature by December 1, 2013, and December 1,
11 2014, on the status of projects funded as part of the pedestrian
12 safety/safe routes to school grant program (0LP600P). The report must
13 include, but is not limited to, a list of projects selected and a brief
14 description of each project's status.

15 (7) \$50,000 of the motor vehicle account--state appropriation is
16 provided solely for the installation of a guard rail on Deer Harbor
17 Road in San Juan county (L2220054).

18 NEW SECTION. **Sec. 312. ANNUAL REPORTING REQUIREMENTS FOR CAPITAL**
19 **PROGRAM**

20 (1) As part of its budget submittal for the 2014 supplemental
21 budget, the department of transportation shall provide an update to the
22 report provided to the legislature in 2013 that: (a) Compares the
23 original project cost estimates approved in the 2003 and 2005 project
24 lists to the completed cost of the project, or the most recent
25 legislatively approved budget and total project costs for projects not
26 yet completed; (b) identifies highway projects that may be reduced in
27 scope and still achieve a functional benefit; (c) identifies highway
28 projects that have experienced scope increases and that can be reduced
29 in scope; (d) identifies highway projects that have lost significant
30 local or regional contributions that were essential to completing the
31 project; and (e) identifies contingency amounts allocated to projects.

32 (2) As part of its budget submittal for the 2014 supplemental
33 budget, the department of transportation shall provide an annual report
34 on the number of toll credits the department has accumulated and how
35 the department has used the toll credits.

36 *NEW SECTION. **Sec. 313. QUARTERLY REPORTING REQUIREMENTS FOR**

1 **CAPITAL PROGRAM**

2 On a quarterly basis, the department of transportation shall
3 provide to the office of financial management and the legislative
4 transportation committees the following reports for all capital
5 programs:

6 (1) For active projects, the report must include:

7 (a) A TEIS version containing actual capital expenditures for all
8 projects consistent with the structure of the most recently enacted
9 budget;

10 (b) Anticipated cost savings, cost increases, reappropriations, and
11 schedule adjustments for all projects consistent with the structure of
12 the most recently enacted budget;

13 (c) The award amount, the engineer's estimate, and the number of
14 bidders for all active projects consistent with the structure of the
15 most recently enacted budget;

16 (d) Projected costs and schedule for individual projects that are
17 funded at a programmatic level for projects relating to bridge rail,
18 guard rail, fish passage barrier removal, roadside safety projects, and
19 seismic bridges. Projects within this programmatic level funding must
20 be completed on a priority basis and scoped to be completed within the
21 current programmatic budget;

22 (e) Highway projects that may be reduced in scope and still achieve
23 a functional benefit;

24 (f) Highway projects that have experienced scope increases and that
25 can be reduced in scope;

26 (g) Highway projects that have lost significant local or regional
27 contributions that were essential to completing the project; and

28 (h) Contingency amounts for all projects consistent with the
29 structure of the most recently enacted budget.

30 (2) For completed projects, the report must:

31 (a) Compare the costs and operationally complete date for projects
32 with budgets of twenty million dollars or more that are funded with
33 preexisting funds to the original project cost estimates and schedule;
34 and

35 (b) Provide a list of nickel and TPA projects charging to the
36 nickel/TPA environmental mitigation reserve (OBI4ENV) and the amount
37 each project is charging.

38 (3) For prospective projects, the report must:

1 (a) Identify the estimated advertisement date for all projects
2 consistent with the structure of the most recently enacted
3 transportation budget that are going to advertisement during the
4 current fiscal biennium;

5 (b) Identify the anticipated operationally complete date for all
6 projects consistent with the structure of the most recently enacted
7 transportation budget that are going to advertisement during the
8 current fiscal biennium; and

9 (c) Identify the estimated cost of completion for all projects
10 consistent with the structure of the most recently enacted
11 transportation budget that are going to advertisement during the
12 current fiscal biennium.

13 ***(4) The department shall provide a list of change orders executed***
14 ***for each fiscal quarter beginning September 30, 2013. The report must***
15 ***include the name of the contractor, the dollar value of the change***
16 ***order, and a brief explanation for why there needs to be a change***
17 ***order.***

18 ***(5) The department shall provide a quarterly report, beginning***
19 ***September 30, 2013, on project mitigation costs. The report must show:***

20 ***(a) All mitigation payments made during the current fiscal***
21 ***biennium;***

22 ***(b) The party with whom the mitigation was negotiated; and***

23 ***(c) The parties with whom the department are in on-going***
24 ***negotiations.***

**Sec. 313 was partially vetoed. See message at end of chapter.*

25 **NEW SECTION. Sec. 314. FEDERAL FUNDS RECEIVED FOR CAPITAL**
26 **PROJECT EXPENDITURES**

27 To the greatest extent practicable, the department of
28 transportation shall expend federal funds received for capital project
29 expenditures before state funds.

30 **TRANSFERS AND DISTRIBUTIONS**

31 **NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT**
32 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
33 **BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND**

1	TRANSPORTATION FUND REVENUE	
2	Transportation Partnership Account--State	
3	Appropriation	\$10,406,000
4	Motor Vehicle Account--State Appropriation	\$450,000
5	State Route Number 520 Corridor Account--State	
6	Appropriation	\$3,866,000
7	Highway Bond Retirement Account--State	
8	Appropriation	\$1,074,580,000
9	Ferry Bond Retirement Account--State Appropriation	\$31,824,000
10	Transportation Improvement Board Bond Retirement	
11	Account--State Appropriation	\$16,267,000
12	Nondebt-Limit Reimbursable Bond Retirement Account--State	
13	Appropriation	\$25,825,000
14	Toll Facility Bond Retirement Account--State	
15	Appropriation	\$52,050,000
16	Toll Facility Bond Retirement Account--Federal	
17	Appropriation	\$64,982,000
18	Transportation 2003 Account (Nickel Account)--State	
19	Appropriation	\$1,958,000
20	Special Category C Account--State Appropriation	\$2,000
21	TOTAL APPROPRIATION	\$1,282,210,000

22 NEW SECTION. **Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT**
23 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
24 **BOND SALE EXPENSES AND FISCAL AGENT CHARGES**

25	Transportation Partnership Account--State	
26	Appropriation	\$1,156,000
27	Motor Vehicle Account--State Appropriation	\$50,000
28	State Route Number 520 Corridor Account--State	
29	Appropriation	\$531,000
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation	\$218,000
32	TOTAL APPROPRIATION	\$1,955,000

33 NEW SECTION. **Sec. 403. FOR THE STATE TREASURER--BOND RETIREMENT**
34 **AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR**
35 **MVFT BONDS AND TRANSFERS**

36 Motor Vehicle Account--State Appropriation: For

1 transfer to the Puget Sound Capital Construction
2 Account \$20,000,000

3 The department of transportation is authorized to sell up to
4 \$20,000,000 in bonds authorized by RCW 47.10.843 for vessel and
5 terminal acquisition, major and minor improvements, and long lead-time
6 materials acquisition for the Washington state ferries.

7 NEW SECTION. **Sec. 404. FOR THE STATE TREASURER--STATE REVENUES**
8 **FOR DISTRIBUTION**

9 Motor Vehicle Account--State Appropriation: For
10 motor vehicle fuel tax distributions to cities
11 and counties \$474,610,000

12 NEW SECTION. **Sec. 405. FOR THE STATE TREASURER--TRANSFERS**

13 Motor Vehicle Account--State Appropriation: For
14 motor vehicle fuel tax refunds and statutory
15 transfers \$1,235,491,000

16 NEW SECTION. **Sec. 406. FOR THE DEPARTMENT OF LICENSING--**
17 **TRANSFERS**

18 Motor Vehicle Account--State Appropriation: For motor
19 vehicle fuel tax refunds and transfers \$138,627,000

20 NEW SECTION. **Sec. 407. FOR THE STATE TREASURER--ADMINISTRATIVE**
21 **TRANSFERS**

22 (1) Recreational Vehicle Account--State
23 Appropriation: For transfer to the Motor Vehicle
24 Account--State \$1,300,000

25 (2) Multimodal Transportation Account--State
26 Appropriation: For transfer to the Puget Sound
27 Ferry Operations Account--State \$13,000,000

28 (3) Rural Mobility Grant Program Account--State
29 Appropriation: For transfer to the Multimodal
30 Transportation Account--State \$3,000,000

31 (4) Motor Vehicle Account--State
32 Appropriation: For transfer to the Special Category C
33 Account--State \$1,500,000

34 (5) Capital Vessel Replacement Account--State

1 Appropriation: For transfer to the Transportation 2003
2 Account (Nickel Account)--State \$7,702,000
3 (6) Multimodal Transportation Account--State
4 Appropriation: For transfer to the Public Transportation
5 Grant Program Account--State \$26,000,000
6 (7) Motor Vehicle Account--State Appropriation:
7 For transfer to the Puget Sound Ferry Operations
8 Account--State \$28,000,000
9 (8) Motor Vehicle Account--State Appropriation:
10 For transfer to the Puget Sound Capital Construction
11 Account--State \$28,000,000
12 (9) State Route Number 520 Civil Penalties
13 Account--State Appropriation: For transfer to the
14 State Route Number 520 Corridor Account--State \$886,000
15 (10) Multimodal Transportation Account--State
16 Appropriation: For transfer to the Highway Safety
17 Account--State \$10,000,000
18 (11) Motor Vehicle Account--State Appropriation:
19 For transfer to the State Patrol Highway
20 Account--State \$27,000,000
21 (12) Highway Safety Account--State Appropriation:
22 For transfer to the Puget Sound Ferry Operations
23 Account--State \$42,000,000
24 (13) Advanced Environmental Mitigation Revolving
25 Account--State Appropriation: For transfer to the Motor
26 Vehicle Account--State \$2,000,000
27 (14) Advanced Right-of-Way Revolving Fund--State
28 Appropriation: For transfer to the Motor Vehicle
29 Account--State \$6,000,000
30 (15) Tacoma Narrows Toll Bridge Account--State
31 Appropriation: For transfer to the Motor Vehicle
32 Account--State \$950,000
33 (16) License Plate Technology Account--State
34 Appropriation: For transfer to the Highway Safety
35 Account--State \$3,000,000
36 (17) Motor Vehicle Account--State Appropriation:
37 For transfer to the Transportation Equipment
38 Fund--State \$3,915,000

1 (18) Multimodal Transportation Account--State
2 Appropriation: For transfer to the Motor Vehicle
3 Account--State \$10,000,000

4 **NEW SECTION. Sec. 408. FOR THE STATE TREASURER: FOR**
5 **DISTRIBUTION TO TRANSIT ENTITIES**

6 Public Transportation Grant Program Account--State
7 Appropriation \$26,000,000

8 The appropriation in this section is subject to the following
9 conditions and limitations:

10 (1) One-eighth of the appropriation in this section must be
11 distributed quarterly to transit authorities according to the
12 distribution formula in subsection (2) of this section. Funding must
13 be used for operations.

14 (2) Of the amounts provided in subsection (1) of this section:

15 (a) One-third must be distributed based on vehicle miles of service
16 provided;

17 (b) One-third must be distributed based on the number of vehicle
18 hours of service provided; and

19 (c) One-third must be distributed based on the number of passenger
20 trips.

21 (3) For the purposes of this section:

22 (a) "Transit authorities" has the same meaning as in RCW
23 9.91.025(2)(c).

24 (b) "Vehicle miles of service," "vehicle hours of service," and
25 "passenger trips" are transit service metrics as reported by the public
26 transportation program of the department of transportation in the
27 annual report required in RCW 35.58.2796 for calendar year 2011.

28 **NEW SECTION. Sec. 409. STATUTORY APPROPRIATIONS**

29 In addition to the amounts appropriated in this act for revenue for
30 distribution, state contributions to the law enforcement officers' and
31 firefighters' retirement system, and bond retirement and interest
32 including ongoing bond registration and transfer charges, transfers,
33 interest on registered warrants, and certificates of indebtedness,
34 there is also appropriated such further amounts as may be required or
35 available for these purposes under any statutory formula or under any
36 proper bond covenant made under law.

1 Funding is provided for an additional step on the OPEIU salary
2 schedule. The agreement also includes a one percent salary increase
3 for all bargaining unit members effective July 1, 2014, through June
4 30, 2015, contingent on the state collecting \$200,000,000 or more in
5 unanticipated general fund--state revenue from increased economic
6 activity.

7 NEW SECTION. **Sec. 504. DEPARTMENT OF TRANSPORTATION MARINE**
8 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--FASPAA**

9 An agreement has been reached between the governor and the ferry
10 agents, supervisors, and project administrators association pursuant to
11 chapter 47.64 RCW for the 2013-2015 fiscal biennium. Funding is
12 provided for a one percent salary increase for all bargaining unit
13 members beginning July 1, 2013, and a one percent salary increase for
14 all bargaining unit members beginning July 1, 2014.

15 NEW SECTION. **Sec. 505. DEPARTMENT OF TRANSPORTATION MARINE**
16 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--SEIU LOCAL 6**

17 An agreement has been reached between the governor and the service
18 employees international union local six pursuant to chapter 47.64 RCW
19 for the 2013-2015 fiscal biennium. Funding is provided for a new step
20 on the salary schedule. The agreement also includes a one percent
21 salary increase for all bargaining unit members effective July 1, 2014,
22 through June 30, 2015, contingent on the state collecting \$200,000,000
23 or more in unanticipated general fund--state revenue from economic
24 activity.

25 NEW SECTION. **Sec. 506. DEPARTMENT OF TRANSPORTATION MARINE**
26 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--CARPENTERS**

27 An agreement has been reached between the governor and the pacific
28 northwest regional council of carpenters pursuant to chapter 47.64 RCW
29 for the 2013-2015 fiscal biennium. Funding is provided for a one and
30 one-half percent salary increase for all bargaining unit members
31 beginning July 1, 2013, and a one and one-half percent salary increase
32 for all bargaining unit members beginning July 1, 2014.

33 NEW SECTION. **Sec. 507. DEPARTMENT OF TRANSPORTATION MARINE**
34 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--METAL TRADES**

1 An agreement has been reached between the governor and the Puget
2 Sound metal trades council through an interest arbitration decision
3 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
4 Funding is provided for the awarded one and one-half percent salary
5 increase for all bargaining unit members beginning July 1, 2013, and a
6 one and one-half percent salary increase for all bargaining unit
7 members beginning July 1, 2014.

8 NEW SECTION. **Sec. 508. DEPARTMENT OF TRANSPORTATION MARINE**
9 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-UL**

10 An agreement has been reached between the governor and the marine
11 engineers' beneficial association unlicensed engine room employees
12 through an interest arbitration decision pursuant to chapter 47.64 RCW
13 for the 2013-2015 fiscal biennium. Funding is provided for the awarded
14 one percent salary increase for all bargaining unit members beginning
15 July 1, 2013, a one percent salary increase for all bargaining unit
16 members beginning July 1, 2014, and additional vacation accrual
17 beginning July 1, 2014.

18 NEW SECTION. **Sec. 509. DEPARTMENT OF TRANSPORTATION MARINE**
19 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MEBA-L**

20 An agreement has been reached between the governor and the marine
21 engineers' beneficial association licensed engineer officers through an
22 interest arbitration decision pursuant to chapter 47.64 RCW for the
23 2013-2015 fiscal biennium. Funding is provided for the awarded one
24 percent salary increase for all bargaining unit members beginning July
25 1, 2013, a one percent salary increase for all bargaining unit members
26 beginning July 1, 2014, and additional vacation accrual beginning July
27 1, 2014.

28 NEW SECTION. **Sec. 510. DEPARTMENT OF TRANSPORTATION MARINE**
29 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MATES**

30 An agreement has been reached between the governor and the masters,
31 mates, and pilots - mates through an interest arbitration decision
32 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
33 Funding is provided for the awarded three percent salary increase for
34 all bargaining unit members beginning July 1, 2014, additional pay for

1 relief employees, increased uniform allowance, and increased Friday
2 Harbor relief pay.

3 NEW SECTION. **Sec. 511. DEPARTMENT OF TRANSPORTATION MARINE**
4 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P MASTERS**

5 An agreement has been reached between the governor and the masters,
6 mates, and pilots - masters through an interest arbitration decision
7 pursuant to chapter 47.64 RCW for the 2013-2015 fiscal biennium.
8 Funding is provided for a one percent salary increase for all
9 bargaining unit members beginning July 1, 2013, a one percent salary
10 increase for all bargaining unit members beginning July 1, 2014, relief
11 assignment pay for all compensated hours beginning July 1, 2014,
12 increased uniform allowance, increased license renewal allowance, and
13 increased Friday Harbor relief pay.

14 NEW SECTION. **Sec. 512. DEPARTMENT OF TRANSPORTATION MARINE**
15 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--MM&P WATCH SUPERVISORS**

16 An agreement has been reached between the governor and the masters,
17 mates, and pilots - watch supervisors through an interest arbitration
18 decision pursuant to chapter 47.64 RCW for the 2013-2015 fiscal
19 biennium. Funding is provided for the awarded 16.125 percent salary
20 increase for all bargaining unit members beginning July 1, 2013, and a
21 16.125 percent salary increase for all bargaining unit members
22 beginning July 1, 2014.

23 NEW SECTION. **Sec. 513. DEPARTMENT OF TRANSPORTATION MARINE**
24 **DIVISION COLLECTIVE BARGAINING AGREEMENTS--IBU**

25 An agreement has been reached between the governor and the
26 inlandboatmen's union of the pacific pursuant to chapter 47.64 RCW for
27 the 2013-2015 fiscal biennium. Funding is provided for an eighteen
28 percent increase for entry-level wage rates for all bargaining unit
29 members beginning July 1, 2013. For all other wage rates, funding is
30 provided to increase rates two and one-half percent for all bargaining
31 unit members beginning July 1, 2013, and to increase rates two and one-
32 half percent for all bargaining unit members beginning July 1, 2014.
33 Funding is also provided for marine license fees.

1 NEW SECTION. **Sec. 514. COLLECTIVE BARGAINING AGREEMENTS--PTE**
2 **LOCAL 17**

3 An agreement has been reached between the governor and the
4 professional and technical employees local seventeen under chapter
5 41.80 RCW for the 2013-2015 fiscal biennium. Funding is provided to
6 add a longevity step. The agreement also includes a one percent salary
7 increase for all bargaining unit members effective July 1, 2014,
8 through June 30, 2015, contingent on the state collecting \$200,000,000
9 or more in unanticipated general fund--state revenue from increased
10 economic activity.

11 NEW SECTION. **Sec. 515. COLLECTIVE BARGAINING AGREEMENTS--WSP**
12 **TROOPERS ASSOCIATION**

13 An agreement has been reached between the governor and the
14 Washington state patrol troopers association through an interest
15 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
16 biennium. Funding is provided for the awarded three percent salary
17 increase for all bargaining unit members effective July 1, 2013, and a
18 one percent increase to longevity pay for years five through nine
19 effective July 1, 2014.

20 NEW SECTION. **Sec. 516. COLLECTIVE BARGAINING AGREEMENTS--WSP**
21 **LIEUTENANTS ASSOCIATION**

22 An agreement has been reached between the governor and the
23 Washington state patrol lieutenants association through an interest
24 arbitration decision under chapter 41.56 RCW for the 2013-2015 fiscal
25 biennium. Funding is provided for the awarded three percent salary
26 increase for all bargaining unit members effective July 1, 2014, and
27 for parking of department-issued vehicles for employees assigned
28 vehicles at the general administration building or capitol campus.

29 NEW SECTION. **Sec. 517. COMPENSATION--REPRESENTED EMPLOYEES--**
30 **SUPER COALITION--INSURANCE BENEFITS**

31 No agreement has been reached between the governor and the health
32 care super coalition under chapter 41.80 RCW for the 2013-2015 fiscal
33 biennium. Appropriations in this act for state agencies, including
34 institutions of higher education, are sufficient to continue the

1 provisions of the 2011-2013 collective bargaining agreement and are
2 subject to the following conditions and limitations:

3 (1)(a) The monthly employer funding rate for insurance benefit
4 premiums, public employees' benefits board administration, and the
5 uniform medical plan must not exceed \$809 per eligible employee for
6 fiscal year 2014. For fiscal year 2015, the monthly employer funding
7 rate must not exceed \$820 per eligible employee.

8 (b) In order to achieve the level of funding provided for health
9 benefits, the public employees' benefits board must require any of the
10 following: Employee premium copayments; increases in point-of-service
11 cost sharing; the implementation of managed competition; or other
12 changes to benefits consistent with RCW 41.05.065.

13 (c) The health care authority shall deposit any moneys received on
14 behalf of the uniform medical plan as a result of rebates on
15 prescription drugs, audits of hospitals, subrogation payments, or any
16 other moneys recovered as a result of prior uniform medical plan claims
17 payments into the public employees' and retirees' insurance account to
18 be used for insurance benefits. Such receipts must not be used for
19 administrative expenditures.

20 (2) The health care authority, subject to the approval of the
21 public employees' benefits board, shall provide subsidies for health
22 benefit premiums to eligible retired or disabled public employees and
23 school district employees who are eligible for medicare, pursuant to
24 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
25 \$150.00 per month.

26 NEW SECTION. **Sec. 518. COMPENSATION--REPRESENTED EMPLOYEES**
27 **OUTSIDE SUPER COALITION--INSURANCE BENEFITS**

28 Appropriations for state agencies in this act are sufficient for
29 represented employees outside the super coalition for health benefits
30 and are subject to the following conditions and limitations:

31 (1)(a) The monthly employer funding rate for insurance benefit
32 premiums, public employees' benefits board administration, and the
33 uniform medical plan must not exceed \$809 per eligible employee for
34 fiscal year 2014. For fiscal year 2015, the monthly employer funding
35 rate must not exceed \$820 per eligible employee.

36 (b) In order to achieve the level of funding provided for health
37 benefits, the public employees' benefits board shall require any of the

1 following: Employee premium copayments; increases in point-of-service
2 cost sharing; the implementation of managed competition; or other
3 changes to benefits consistent with RCW 41.05.065.

4 (c) The health care authority shall deposit any moneys received on
5 behalf of the uniform medical plan as a result of rebates on
6 prescription drugs, audits of hospitals, subrogation payments, or any
7 other moneys recovered as a result of prior uniform medical plan claims
8 payments into the public employees' and retirees' insurance account to
9 be used for insurance benefits. Such receipts must not be used for
10 administrative expenditures.

11 (2) The health care authority, subject to the approval of the
12 public employees' benefits board, shall provide subsidies for health
13 benefit premiums to eligible retired or disabled public employees and
14 school district employees who are eligible for medicare, pursuant to
15 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
16 \$150.00 per month.

17 NEW SECTION. **Sec. 519. COMPENSATION--NONREPRESENTED EMPLOYEES--**
18 **INSURANCE BENEFITS**

19 Appropriations for state agencies in this act are sufficient for
20 nonrepresented state employee health benefits for state agencies,
21 including institutions of higher education, and are subject to the
22 following conditions and limitations:

23 (1)(a) The monthly employer funding rate for insurance benefit
24 premiums, public employees' benefits board administration, and the
25 uniform medical plan must not exceed \$809 per eligible employee for
26 fiscal year 2014. For fiscal year 2015, the monthly employer funding
27 rate must not exceed \$820 per eligible employee.

28 (b) In order to achieve the level of funding provided for health
29 benefits, the public employees' benefits board shall require any of the
30 following: Employee premium copayments; increases in point-of-service
31 cost sharing; the implementation of managed competition; or make other
32 changes to benefits consistent with RCW 41.05.065.

33 (c) The health care authority shall deposit any moneys received on
34 behalf of the uniform medical plan as a result of rebates on
35 prescription drugs, audits of hospitals, subrogation payments, or any
36 other moneys recovered as a result of prior uniform medical plan claims

1 payments into the public employees' and retirees' insurance account to
2 be used for insurance benefits. Such receipts must not be used for
3 administrative expenditures.

4 (2) The health care authority, subject to the approval of the
5 public employees' benefits board, shall provide subsidies for health
6 benefit premiums to eligible retired or disabled public employees and
7 school district employees who are eligible for medicare, pursuant to
8 RCW 41.05.085. For calendar years 2014 and 2015, the subsidy must be
9 \$150.00 per month.

10 NEW SECTION. **Sec. 520. COMPENSATION--NONREPRESENTED EMPLOYEES--**
11 **SALARIES AND WAGES**

12 For classified state employees, except those within the Washington
13 management service and those represented by a bargaining unit under
14 chapter 41.80, 41.56, or 47.64 RCW, funding is provided within agency
15 appropriations for implementation of a longevity step, in accordance
16 with rules adopted under RCW 41.06.133.

17 **Sec. 521.** RCW 47.64.170 and 2011 c 367 s 712 are each amended to
18 read as follows:

19 (1) Any ferry employee organization certified as the bargaining
20 representative shall be the exclusive representative of all ferry
21 employees in the bargaining unit and shall represent all such employees
22 fairly.

23 (2) A ferry employee organization or organizations and the governor
24 may each designate any individual as its representative to engage in
25 collective bargaining negotiations.

26 (3) Negotiating sessions, including strategy meetings of the
27 employer or employee organizations, mediation, and the deliberative
28 process of arbitrators are exempt from the provisions of chapter 42.30
29 RCW. Hearings conducted by arbitrators may be open to the public by
30 mutual consent of the parties.

31 (4) Terms of any collective bargaining agreement may be enforced by
32 civil action in Thurston county superior court upon the initiative of
33 either party.

34 (5) Ferry system employees or any employee organization shall not
35 negotiate or attempt to negotiate directly with anyone other than the

1 person who has been appointed or authorized a bargaining representative
2 for the purpose of bargaining with the ferry employees or their
3 representative.

4 (6)(a) Within ten working days after the first Monday in September
5 of every odd-numbered year, the parties shall attempt to agree on an
6 interest arbitrator to be used if the parties are not successful in
7 negotiating a comprehensive collective bargaining agreement. If the
8 parties cannot agree on an arbitrator within the ten-day period, either
9 party may request a list of seven arbitrators from the federal
10 mediation and conciliation service. The parties shall select an
11 interest arbitrator using the coin toss/alternate strike method within
12 thirty calendar days of receipt of the list. Immediately upon
13 selecting an interest arbitrator, the parties shall cooperate to
14 reserve dates with the arbitrator for potential arbitration between
15 August 1st and September 15th of the following even-numbered year. The
16 parties shall also prepare a schedule of at least five negotiation
17 dates for the following year, absent an agreement to the contrary. The
18 parties shall execute a written agreement before November 1st of each
19 odd-numbered year setting forth the name of the arbitrator and the
20 dates reserved for bargaining and arbitration. This subsection (6)(a)
21 imposes minimum obligations only and is not intended to define or limit
22 a party's full, good faith bargaining obligation under other sections
23 of this chapter.

24 (b) The negotiation of a proposed collective bargaining agreement
25 by representatives of the employer and a ferry employee organization
26 shall commence on or about February 1st of every even-numbered year.

27 (c) For negotiations covering the 2009-2011 biennium and subsequent
28 biennia, the time periods specified in this section, and in RCW
29 47.64.210 and 47.64.300 through 47.64.320, must ensure conclusion of
30 all agreements on or before October 1st of the even-numbered year next
31 preceding the biennial budget period during which the agreement should
32 take effect. These time periods may only be altered by mutual
33 agreement of the parties in writing. Any such agreement and any
34 impasse procedures agreed to by the parties under RCW 47.64.200 must
35 include an agreement regarding the new time periods that will allow
36 final resolution by negotiations or arbitration by October 1st of each
37 even-numbered year.

1 (7) It is the intent of this section that the collective bargaining
2 agreement or arbitrator's award shall commence on July 1st of each odd-
3 numbered year and shall terminate on June 30th of the next odd-numbered
4 year to coincide with the ensuing biennial budget year, as defined by
5 RCW 43.88.020(7), to the extent practical. It is further the intent of
6 this section that all collective bargaining agreements be concluded by
7 October 1st of the even-numbered year before the commencement of the
8 biennial budget year during which the agreements are to be in effect.
9 After the expiration date of a collective bargaining agreement
10 negotiated under this chapter, except to the extent provided in
11 subsection (11) of this section and RCW 47.64.270(4), all of the terms
12 and conditions specified in the collective bargaining agreement remain
13 in effect until the effective date of a subsequently negotiated
14 agreement, not to exceed one year from the expiration date stated in
15 the agreement. Thereafter, the employer may unilaterally implement
16 according to law.

17 (8) The office of financial management shall conduct a salary
18 survey, for use in collective bargaining and arbitration, which must be
19 conducted through a contract with a firm nationally recognized in the
20 field of human resources management consulting.

21 (9) Except as provided in subsection (11) of this section:

22 (a) The governor shall submit a request either for funds necessary
23 to implement the collective bargaining agreements including, but not
24 limited to, the compensation and fringe benefit provisions or for
25 legislation necessary to implement the agreement, or both. Requests
26 for funds necessary to implement the collective bargaining agreements
27 shall not be submitted to the legislature by the governor unless such
28 requests:

29 (i) Have been submitted to the director of the office of financial
30 management by October 1st before the legislative session at which the
31 requests are to be considered; and

32 (ii) Have been certified by the director of the office of financial
33 management as being feasible financially for the state.

34 (b) The governor shall submit a request either for funds necessary
35 to implement the arbitration awards or for legislation necessary to
36 implement the arbitration awards, or both. Requests for funds
37 necessary to implement the arbitration awards shall not be submitted to
38 the legislature by the governor unless such requests:

1 (i) Have been submitted to the director of the office of financial
2 management by October 1st before the legislative session at which the
3 requests are to be considered; and

4 (ii) Have been certified by the director of the office of financial
5 management as being feasible financially for the state.

6 (c) The legislature shall approve or reject the submission of the
7 request for funds necessary to implement the collective bargaining
8 agreements or arbitration awards as a whole for each agreement or
9 award. The legislature shall not consider a request for funds to
10 implement a collective bargaining agreement or arbitration award unless
11 the request is transmitted to the legislature as part of the governor's
12 budget document submitted under RCW 43.88.030 and 43.88.060. If the
13 legislature rejects or fails to act on the submission, either party may
14 reopen all or part of the agreement and award or the exclusive
15 bargaining representative may seek to implement the procedures provided
16 for in RCW 47.64.210 and 47.64.300.

17 (10) If, after the compensation and fringe benefit provisions of an
18 agreement are approved by the legislature, a significant revenue
19 shortfall occurs resulting in reduced appropriations, as declared by
20 proclamation of the governor or by resolution of the legislature, both
21 parties shall immediately enter into collective bargaining for a
22 mutually agreed upon modification of the agreement.

23 (11)(a) For the collective bargaining agreements negotiated for the
24 2011-2013 fiscal biennium, the legislature may consider a request for
25 funds to implement a collective bargaining agreement even if the
26 request for funds was not received by the office of financial
27 management by October 1st and was not transmitted to the legislature as
28 part of the governor's budget document submitted under RCW 43.88.030
29 and 43.88.060.

30 (b) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective
31 bargaining agreement related to employee health care benefits
32 negotiated between the employer and coalition pursuant to RCW
33 41.80.020(3) regarding the dollar amount expended on behalf of each
34 employee must be a separate agreement for which the governor may
35 request funds necessary to implement the agreement. ~~((If such an
36 agreement is negotiated and funded by the legislature, this agreement
37 will supersede any terms and conditions of an expired 2009-2011
38 biennial master collective bargaining agreement under this chapter~~

1 ~~regarding health care benefits.))~~ The legislature may act upon a 2013-
2 2015 collective bargaining agreement related to employee health care
3 benefits if an agreement is reached and submitted to the office of
4 financial management and legislative budget committees before final
5 legislative action on the biennial or supplemental operating budget by
6 the sitting legislature.

7 (c) For the collective bargaining agreements negotiated for the
8 2013-2015 fiscal biennium, the legislature may consider a request for
9 funds to implement a collective bargaining agreement reached after
10 October 1st after a determination of financial infeasibility by the
11 director of the office of financial management if the request for funds
12 is transmitted to the legislature as part of the governor's budget
13 document submitted under RCW 43.88.030 and 43.88.060.

14 **Sec. 522.** RCW 47.64.270 and 2011 c 367 s 713 are each amended to
15 read as follows:

16 (1) The employer and one coalition of all the exclusive bargaining
17 representatives subject to this chapter and chapter 41.80 RCW shall
18 conduct negotiations regarding the dollar amount expended on behalf of
19 each employee for health care benefits.

20 (2) Absent a collective bargaining agreement to the contrary, the
21 department of transportation shall provide contributions to insurance
22 and health care plans for ferry system employees and dependents, as
23 determined by the state health care authority, under chapter 41.05 RCW.

24 (3) The employer and employee organizations may collectively
25 bargain for insurance plans other than health care benefits, and
26 employer contributions may exceed that of other state agencies as
27 provided in RCW 41.05.050.

28 (4) For the ~~((2011-2013))~~ 2013-2015 fiscal biennium, a collective
29 bargaining agreement related to employee health care benefits
30 negotiated between the employer and coalition pursuant to RCW
31 41.80.020(3) regarding the dollar amount expended on behalf of each
32 employee must be a separate agreement for which the governor may
33 request funds necessary to implement the agreement. ~~((If such an~~
34 ~~agreement is negotiated and funded by the legislature, this agreement~~
35 ~~will supersede any terms and conditions of an expired 2009-2011~~
36 ~~biennial collective bargaining agreement under this chapter regarding~~
37 ~~health care benefits.))~~

1 **IMPLEMENTING PROVISIONS**

2 **NEW SECTION. Sec. 601. STAFFING LEVELS**

3 (1) As the department of transportation completes delivery of the
4 projects funded by the 2003 and 2005 transportation revenue packages,
5 it is clear that the current staffing levels necessary to deliver these
6 projects are not sustainable into the future. Therefore, the
7 department is directed to quickly move forward to develop and implement
8 new business practices so that a smaller, more nimble state workforce
9 can effectively and efficiently deliver transportation improvement
10 programs as they are approved in the future, in strong partnership with
11 the private sector, while protecting the public's interests and assets.

12 (2) To this end, the department of transportation is directed to
13 reduce the size of its engineering and technical workforce to a level
14 sustained by current law revenue levels currently estimated at two
15 thousand FTEs by the end of the 2013-2015 fiscal biennium. The
16 department shall submit a report on the progress made in 2011-2013 by
17 July 1, 2013.

18 (3) In order to successfully deliver the highway construction
19 program as funded, the department of transportation may continue to
20 contract out engineering and technical services. In addition, the
21 department may continue the incentive program for retirements and
22 employee separations.

23 ***NEW SECTION. Sec. 602. FOR THE DEPARTMENT OF TRANSPORTATION**

24 ***The department shall begin to transition from owning a fleet of***
25 ***passenger vehicles in Thurston county to using the state motor pool.***
26 ***The funding appropriated in this act may not be used by programs***
27 ***headquartered in Thurston county to purchase passenger cars as defined***
28 ***in RCW 46.04.382.***

**Sec. 602 was vetoed. See message at end of chapter.*

29 **NEW SECTION. Sec. 603. FUND TRANSFERS**

30 (1) The transportation 2003 projects or improvements and the 2005
31 transportation partnership projects or improvements are listed in the
32 LEAP list titled 2013-1 as developed April 23, 2013, which consists of
33 a list of specific projects by fund source and amount over a ten-year
34 period. Current fiscal biennium funding for each project is a line-
35 item appropriation, while the outer year funding allocations represent
36 a ten-year plan. The department is expected to use the flexibility

1 provided in this section to assist in the delivery and completion of
2 all transportation partnership account and transportation 2003 account
3 (nickel account) projects on the LEAP transportation documents
4 referenced in this act. However, this section does not apply to the I-
5 5/Columbia River Crossing project (400506A). For the 2011-2013 and
6 2013-2015 project appropriations, unless otherwise provided in this
7 act, the director of financial management may authorize a transfer of
8 appropriation authority between projects funded with transportation
9 2003 account (nickel account) appropriations, or transportation
10 partnership account appropriations, in order to manage project spending
11 and efficiently deliver all projects in the respective program under
12 the following conditions and limitations:

13 (a) Transfers may only be made within each specific fund source
14 referenced on the respective project list;

15 (b) Transfers from a project may not be made as a result of the
16 reduction of the scope of a project or be made to support increases in
17 the scope of a project;

18 (c) Each transfer between projects may only occur if the director
19 of financial management finds that any resulting change will not hinder
20 the completion of the projects as approved by the legislature. Until
21 the legislature reconvenes to consider the 2014 supplemental omnibus
22 transportation appropriations act, any unexpended 2011-2013
23 appropriation balance as approved by the office of financial
24 management, in consultation with the legislative staff of the house of
25 representatives and senate transportation committees, may be considered
26 when transferring funds between projects;

27 (d) Transfers from a project may be made if the funds appropriated
28 to the project are in excess of the amount needed to complete the
29 project;

30 (e) Transfers may not occur for projects not identified on the
31 applicable project list;

32 (f) Transfers may not be made while the legislature is in session;
33 and

34 (g) Transfers between projects may be made, without the approval of
35 the director of the office of financial management, by the department
36 of transportation until the transfer amount by project exceeds two
37 hundred fifty thousand dollars, or ten percent of the total project,

1 whichever is less. These transfers must be reported quarterly to the
2 director of financial management and the chairs of the house of
3 representatives and senate transportation committees.

4 (2) At the time the department submits a request to transfer funds
5 under this section, a copy of the request must be submitted to the
6 transportation committees of the legislature.

7 (3) The office of financial management shall work with legislative
8 staff of the house of representatives and senate transportation
9 committees to review the requested transfers in a timely manner.

10 (4) The office of financial management shall document approved
11 transfers and schedule changes in the transportation executive
12 information system, compare changes to the legislative baseline funding
13 and schedules identified by project identification number identified in
14 the LEAP transportation documents referenced in this act, and transmit
15 revised project lists to chairs of the transportation committees of the
16 legislature on a quarterly basis.

17 **NEW SECTION. Sec. 604. ACQUISITION OF PROPERTIES AND FACILITIES**
18 **THROUGH FINANCIAL CONTRACTS**

19 (1) The agency in subsection (2) of this section may enter into
20 financial contracts, paid from any funds of an agency, appropriated or
21 nonappropriated, for the purposes indicated and in not more than the
22 principal amounts indicated, plus financing expenses and required
23 reserves pursuant to chapter 39.94 RCW. When securing properties under
24 this section, agencies shall use the most economical financial contract
25 option available, including long-term leases, lease-purchase
26 agreements, lease-development with option to purchase agreements, or
27 financial contracts using certificates of participation. Expenditures
28 made by an agency for one of the indicated purposes before the issue
29 date of the authorized financial contract and any certificates of
30 participation therein are intended to be reimbursed from proceeds of
31 the financial contract and any certificates of participation therein to
32 the extent provided in the agency's financing plan approved by the
33 state finance committee.

34 (2) The Washington state patrol may enter into agreements with the
35 department of enterprise services and the state treasurer's office to
36 develop requests to the legislature for the acquisition of properties
37 and facilities through financial contracts. The agreements may include

1 charges for services rendered. The Washington state patrol may enter
2 into a financing contract for up to \$4,680,000 plus financing expenses
3 and required reserves pursuant to chapter 39.94 RCW to purchase and
4 install mobile office platforms in state patrol and pursuit vehicles.

5 NEW SECTION. **Sec. 605. FOR THE DEPARTMENT OF TRANSPORTATION**

6 (1) The department of transportation shall prepare an updated
7 facilities and property plan to improve the oversight of real estate
8 procurement and property management across all department programs and
9 regions, including the Washington state ferries. The plan must be
10 submitted to the office of financial management and the transportation
11 committees of the legislature by December 31, 2013. The plan must
12 include:

13 (a) An inventory of all currently owned and leased buildings,
14 including tunnel and bridge operation or maintenance facilities, and
15 traffic management centers as provided by the state's facilities
16 inventory process prescribed by the office of financial management
17 annually by September 1st;

18 (b) A land inventory, as of July 2013, including an indication of
19 whether the land is being held for right-of-way, disposition, or future
20 operational facilities;

21 (c) A prioritized list of all facilities that are planned to be
22 constructed, renovated, or remodeled in the next ten years, including
23 each facilities' purpose and use, and the funding source indicating
24 whether the funding that is assumed for the facility improvements is
25 project or operational funding;

26 (d) A list of options for consolidating staff, equipment, and
27 operational activities to reduce costs with an emphasis on
28 consolidating facilities from leased facilities into state-owned
29 facilities. New locations for a permanent state program or activity,
30 unless a life-cycle cost analysis supports leasing in lieu of ownership
31 or funds are not available for construction, should be state-owned
32 facilities;

33 (e) A department-wide coordinated process and plan for regularly
34 evaluating facility needs, which includes all facilities in the
35 inventory under (a) of this subsection; and

36 (f) A list of department-owned property that can be declared
37 surplus property.

1 (2) Except as provided otherwise in this act, the department of
2 transportation may not enter into new leases, equal value exchanges, or
3 property transactions, including land acquisitions, except for right-
4 of-way purchases for projects on the legislative project lists, without
5 first consulting with the office of financial management.

6 **NEW SECTION. Sec. 606. FOR THE DEPARTMENT OF TRANSPORTATION**

7 As part of its 2014 supplemental budget submittal, the department
8 shall provide a report to the legislature and the office of financial
9 management that:

10 (1) Identifies, by capital project, the amount of state funding
11 that has been reappropriated from the 2011-2013 fiscal biennium into
12 the 2013-2015 fiscal biennium; and

13 (2) Identifies, for each project, the amount of cost savings or
14 increases in funding that have been identified as compared to the 2013
15 enacted omnibus transportation appropriations act.

16 **NEW SECTION. Sec. 607. FOR THE DEPARTMENT OF TRANSPORTATION**

17 The department of transportation, in conjunction with the office of
18 minority and women's business enterprises, shall review the city of
19 Seattle's minority and women's business enterprise inclusion plans that
20 the city has implemented. The review should include a comparison
21 between the existing state process and the city of Seattle inclusion
22 process for bidding construction projects. As part of the review, any
23 identified advantages or disadvantages along with any realized benefits
24 that the city of Seattle has experienced should be included in a report
25 that is due to the transportation committees of the legislature by
26 December 1, 2013.

27 **NEW SECTION. Sec. 608. VOLUNTARY RETIREMENT AND SEPARATION**
28 **INCENTIVES**

29 As a management tool to reduce costs and make more effective use of
30 resources, while improving employee productivity and morale, agencies
31 may implement a voluntary retirement and/or separation program that is
32 cost neutral or results in cost savings, including costs to the state
33 pension systems, over a two-year period following the commencement of
34 the program, provided that the program is approved by the director of
35 financial management. Agencies participating in this authorization may

1 offer voluntary retirement and/or separation incentives and options
2 according to procedures and guidelines established by the office of
3 financial management, in consultation with the office of the state
4 human resources director and the department of retirement systems. The
5 options may include, but are not limited to, financial incentives for
6 voluntary separation or retirement. An employee does not have any
7 contractual right to a financial incentive offered pursuant to this
8 section. Offers must be reviewed and monitored jointly by the office
9 of the state human resources director and the department of retirement
10 systems. Agencies must submit a report by June 30, 2015, to the
11 legislature and the office of financial management on the outcome of
12 their approved incentive program. The report should include
13 information on the details of the program, including the incentive
14 payment amount for each participant, the total cost to the state, and
15 the projected or actual net dollar savings over the two-year period.

16 The department of retirement systems may collect from employers the
17 actuarial cost of any incentive provided under this program, or any
18 other incentive to retire provided by employers to members of the
19 state's pension systems, for deposit in the appropriate pension
20 account.

21 NEW SECTION. **Sec. 609. COMPENSATION--REVISE PENSION CONTRIBUTION**
22 **RATES**

23 The appropriations for school districts and state agencies,
24 including institutions of higher education, are subject to the
25 following conditions and limitations: Appropriations are adjusted to
26 reflect changes to agency appropriations to reflect pension
27 contribution rates adopted by the pension funding council and the law
28 enforcement officers' and firefighters' retirement system plan 2 board.

29 NEW SECTION. **Sec. 610. FOR THE DEPARTMENT OF TRANSPORTATION**

30 The department of transportation may provide up to \$3,000,000 in
31 toll credits to Kitsap Transit for its role in passenger-only ferry
32 service and ferry corridor-related projects. The number of toll
33 credits provided must be equal to, but no more than, the number
34 sufficient to meet federal match requirements for grant funding for
35 passenger-only ferry service, but must not exceed the amount authorized
36 in this section.

1 (2) Except as provided in subsection (5) of this section, effective
2 June 1, 2009, state agencies are required to use a minimum of twenty
3 percent biodiesel as compared to total volume of all diesel purchases
4 made by the agencies for the operation of the agencies' diesel-powered
5 vessels, vehicles, and construction equipment.

6 (3) All state agencies using biodiesel fuel shall, beginning on
7 July 1, 2006, file biannual reports with the department of enterprise
8 services documenting the use of the fuel and a description of how any
9 problems encountered were resolved.

10 (4) By December 1, 2009, the department of enterprise services
11 shall:

12 (a) Report to the legislature on the average true price
13 differential for biodiesel by blend and location; and

14 (b) Examine alternative fuel procurement methods that work to
15 address potential market barriers for in-state biodiesel producers and
16 report these findings to the legislature.

17 (5) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
18 the Washington state ferries is required to use a minimum of five
19 percent biodiesel as compared to total volume of all diesel
20 (~~(purchased)~~) purchases made by the Washington state ferries for the
21 operation of the Washington state ferries diesel-powered vessels, as
22 long as the price of a B5 biodiesel blend does not exceed the price of
23 conventional diesel fuel by five percent or more.

24 **Sec. 702.** RCW 46.12.630 and 2012 c 86 s 803 are each amended to
25 read as follows:

26 In addition to any other authority which it may have, the
27 department of licensing may furnish lists of registered and legal
28 owners of motor vehicles only for the purposes specified in this
29 section to:

30 (1)(a) The manufacturers of motor vehicles, or their authorized
31 agents, to be used:

32 (~~((a))~~) (i) To enable those manufacturers to carry out the
33 provisions of the national traffic and motor vehicle safety act of 1966
34 (15 U.S.C. Sec. 1382-1418), including amendments or additions thereto,
35 respecting safety-related defects in motor vehicles; or

36 (~~((b))~~) (ii) During the 2011-2013 fiscal biennium, in research

1 activities, and in producing statistical reports, as long as the
2 personal information is not published, redisclosed, or used to contact
3 individuals; or

4 (b) During fiscal year 2014, an entity that is an authorized agent
5 of a motor vehicle manufacturer, for purposes of using lists of
6 registered and legal owner information to conduct research activities
7 and produce statistical reports, as long as the entity does not allow
8 personal information received under this section to be published,
9 redisclosed, or used to contact individuals. The department must
10 charge an amount sufficient to cover the full cost of providing the
11 data requested under this subsection (1)(b). Full cost of providing
12 the data includes the information technology, administrative, and
13 contract oversight costs;

14 (2) Any governmental agency of the United States or Canada, or
15 political subdivisions thereof, to be used by it or by its authorized
16 commercial agents or contractors only in connection with the
17 enforcement of motor vehicle or traffic laws by, or programs related to
18 traffic safety of, that government agency. Only such parts of the list
19 as are required for completion of the work required of the agent or
20 contractor shall be provided to such agent or contractor;

21 (3) A commercial parking company requiring the names and addresses
22 of registered owners to notify them of outstanding parking violations.
23 Subject to the disclosure agreement provisions of RCW 46.12.635 and the
24 requirements of Executive Order 97-01, the department may provide only
25 the parts of the list that are required for completion of the work
26 required of the company;

27 (4) An authorized agent or contractor of the department, to be used
28 only in connection with providing motor vehicle excise tax, licensing,
29 title, and registration information to motor vehicle dealers;

30 (5) Any business regularly making loans to other persons to finance
31 the purchase of motor vehicles, to be used to assist the person
32 requesting the list to determine ownership of specific vehicles for the
33 purpose of determining whether or not to provide such financing; or

34 (6) A company or its agents operating a toll facility under chapter
35 47.46 RCW or other applicable authority requiring the names, addresses,
36 and vehicle information of motor vehicle registered owners to identify
37 toll violators.

1 Where both a mailing address and residence address are recorded on
2 the vehicle record and are different, only the mailing address will be
3 disclosed. Both addresses will be disclosed in response to requests
4 for disclosure from courts, law enforcement agencies, or government
5 entities with enforcement, investigative, or taxing authority and only
6 for use in the normal course of conducting their business.

7 If a list of registered and legal owners of motor vehicles is used
8 for any purpose other than that authorized in this section, the
9 manufacturer, governmental agency, commercial parking company,
10 authorized agent, contractor, financial institution, toll facility
11 operator, or their authorized agents or contractors responsible for the
12 unauthorized disclosure or use will be denied further access to such
13 information by the department of licensing.

14 **Sec. 703.** RCW 46.18.060 and 2012 c 65 s 6 are each amended to read
15 as follows:

16 (1) The department must review and either approve or reject special
17 license plate applications submitted by sponsoring organizations.

18 (2) Duties of the department include, but are not limited to, the
19 following:

20 (a) Review and approve the annual financial reports submitted by
21 sponsoring organizations with active special license plate series and
22 present those annual financial reports to the joint transportation
23 committee;

24 (b) Report annually to the joint transportation committee on the
25 special license plate applications that were considered by the
26 department;

27 (c) Issue approval and rejection notification letters to sponsoring
28 organizations, the executive committee of the joint transportation
29 committee, and the legislative sponsors identified in each application.
30 The letters must be issued within seven days of making a determination
31 on the status of an application; and

32 (d) Review annually the number of plates sold for each special
33 license plate series created after January 1, 2003. The department may
34 submit a recommendation to discontinue a special plate series to the
35 executive committee of the joint transportation committee.

36 (3) Except as provided in RCW 46.18.245, in order to assess the
37 effects and impact of the proliferation of special license plates, the

1 legislature declares a temporary moratorium on the issuance of any
2 additional plates until July 1, (~~2013~~) 2015. During this period of
3 time, the department is prohibited from accepting, reviewing,
4 processing, or approving any applications. Additionally, a special
5 license plate may not be enacted by the legislature during the
6 moratorium, unless the proposed license plate has been approved by the
7 former special license plate review board before February 15, 2005.

8 (4) The limitations under subsection (3) of this section do not
9 apply to the following special license plates:

10 (a) 4-H license plates created under RCW 46.18.200;

11 (b) Music Matters license plates created under RCW 46.18.200;

12 (c) State flower license plates created under RCW 46.18.200;

13 (d) Volunteer firefighter license plates created under RCW
14 46.18.200.

15 **Sec. 704.** RCW 46.68.113 and 2011 c 353 s 7 are each amended to
16 read as follows:

17 (1) During the 2013-2015 fiscal biennium, cities and towns shall
18 provide to the transportation commission, or its successor entity,
19 preservation rating information on at least seventy percent of the
20 total city and town arterial network. Thereafter, the preservation
21 rating information requirement shall increase in five percent
22 increments in subsequent biennia, but in no case shall it exceed eighty
23 percent. The rating system used by cities and towns must be based upon
24 the Washington state pavement rating method or an equivalent standard
25 approved by the department of transportation. Beginning January 1,
26 2007, the preservation rating information shall be submitted to the
27 department.

28 (2) Cities and towns are exempt from the requirement to report
29 preservation rating information to the department or the transportation
30 commission through the 2013-2015 fiscal biennium.

31 **Sec. 705.** RCW 46.68.170 and 2011 c 367 s 715 are each amended to
32 read as follows:

33 There is hereby created in the motor vehicle fund the RV account.
34 All moneys hereafter deposited in said account shall be used by the
35 department of transportation for the construction, maintenance, and
36 operation of recreational vehicle sanitary disposal systems at safety

1 rest areas in accordance with the department's highway system plan as
2 prescribed in chapter 47.06 RCW. During the ((2009-2011 and)) 2011-
3 2013 and 2013-2015 fiscal biennia, the legislature may transfer from
4 the RV account to the motor vehicle fund such amounts as reflect the
5 excess fund balance of the RV account to accomplish the purposes
6 identified in this section.

7 **Sec. 706.** RCW 46.68.325 and 2011 c 367 s 721 are each amended to
8 read as follows:

9 (1) The rural mobility grant program account is created in the
10 state treasury. Moneys in the account may be spent only after
11 appropriation. Expenditures from the account may be used only for the
12 grants provided under RCW 47.66.100.

13 (2) Beginning September 2011, by the last day of September,
14 December, March, and June of each year, the state treasurer shall
15 transfer from the multimodal transportation account to the rural
16 mobility grant program account two million five hundred thousand
17 dollars.

18 (3) During the 2011-2013 and 2013-2015 fiscal ((~~biennium~~)) biennia,
19 the legislature may transfer from the rural mobility grant program
20 account to the multimodal transportation account such amounts as
21 reflect the excess fund balance of the rural mobility grant program
22 account.

23 NEW SECTION. **Sec. 707.** A new section is added to chapter 47.06A
24 RCW to read as follows:

25 During the 2013-2015 fiscal biennium, members of the freight
26 advisory committee group created as a standing committee of the board
27 may be reimbursed for travel expenses as provided in RCW 43.03.050 and
28 43.03.060.

29 **Sec. 708.** RCW 47.29.170 and 2011 c 367 s 701 are each amended to
30 read as follows:

31 Before accepting any unsolicited project proposals, the commission
32 must adopt rules to facilitate the acceptance, review, evaluation, and
33 selection of unsolicited project proposals. These rules must include
34 the following:

1 (1) Provisions that specify unsolicited proposals must meet
2 predetermined criteria;

3 (2) Provisions governing procedures for the cessation of
4 negotiations and consideration;

5 (3) Provisions outlining that unsolicited proposals are subject to
6 a two-step process that begins with concept proposals and would only
7 advance to the second step, which are fully detailed proposals, if the
8 commission so directed;

9 (4) Provisions that require concept proposals to include at least
10 the following information: Proposers' qualifications and experience;
11 description of the proposed project and impact; proposed project
12 financing; and known public benefits and opposition; and

13 (5) Provisions that specify the process to be followed if the
14 commission is interested in the concept proposal, which must include
15 provisions:

16 (a) Requiring that information regarding the potential project
17 would be published for a period of not less than thirty days, during
18 which time entities could express interest in submitting a proposal;

19 (b) Specifying that if letters of interest were received during the
20 thirty days, then an additional sixty days for submission of the fully
21 detailed proposal would be allowed; and

22 (c) Procedures for what will happen if there are insufficient
23 proposals submitted or if there are no letters of interest submitted in
24 the appropriate time frame.

25 The commission may adopt other rules as necessary to avoid
26 conflicts with existing laws, statutes, or contractual obligations of
27 the state.

28 The commission may not accept or consider any unsolicited proposals
29 before July 1, ((2013)) 2015.

30 **Sec. 709.** RCW 47.56.403 and 2011 c 367 s 709 are each amended to
31 read as follows:

32 (1) The department may provide for the establishment, construction,
33 and operation of a pilot project of high occupancy toll lanes on state
34 route 167 high occupancy vehicle lanes within King county. The
35 department may issue, buy, and redeem bonds, and deposit and expend
36 them; secure and remit financial and other assistance in the

1 construction of high occupancy toll lanes, carry insurance, and handle
2 any other matters pertaining to the high occupancy toll lane pilot
3 project.

4 (2) Tolls for high occupancy toll lanes will be established as
5 follows:

6 (a) The schedule of toll charges for high occupancy toll lanes must
7 be established by the transportation commission and collected in a
8 manner determined by the commission.

9 (b) Toll charges shall not be assessed on transit buses and vanpool
10 vehicles owned or operated by any public agency.

11 (c) The department shall establish performance standards for the
12 state route 167 high occupancy toll lane pilot project. The department
13 must automatically adjust the toll charge, using dynamic tolling, to
14 ensure that toll-paying single-occupant vehicle users are only
15 permitted to enter the lane to the extent that average vehicle speeds
16 in the lane remain above forty-five miles per hour at least ninety
17 percent of the time during peak hours. The toll charge may vary in
18 amount by time of day, level of traffic congestion within the highway
19 facility, vehicle occupancy, or other criteria, as the commission may
20 deem appropriate. The commission may also vary toll charges for
21 single-occupant inherently low-emission vehicles such as those powered
22 by electric batteries, natural gas, propane, or other clean burning
23 fuels.

24 (d) The commission shall periodically review the toll charges to
25 determine if the toll charges are effectively maintaining travel time,
26 speed, and reliability on the highway facilities.

27 (3) The department shall monitor the state route 167 high occupancy
28 toll lane pilot project and shall annually report to the transportation
29 commission and the legislature on operations and findings. At a
30 minimum, the department shall provide facility use data and review the
31 impacts on:

- 32 (a) Freeway efficiency and safety;
- 33 (b) Effectiveness for transit;
- 34 (c) Person and vehicle movements by mode;
- 35 (d) Ability to finance improvements and transportation services
36 through tolls; and

37 (e) The impacts on all highway users. The department shall analyze
38 aggregate use data and conduct, as needed, separate surveys to assess

1 usage of the facility in relation to geographic, socioeconomic, and
2 demographic information within the corridor in order to ascertain
3 actual and perceived questions of equitable use of the facility.

4 (4) The department shall modify the pilot project to address
5 identified safety issues and mitigate negative impacts to high
6 occupancy vehicle lane users.

7 (5) Authorization to impose high occupancy vehicle tolls for the
8 state route 167 high occupancy toll pilot project expires if either of
9 the following two conditions apply:

10 (a) If no contracts have been let by the department to begin
11 construction of the toll facilities associated with this pilot project
12 within four years of July 24, 2005; or

13 (b) If high occupancy vehicle tolls are being collected on June 30,
14 (~~2013~~) 2015.

15 (6) The department of transportation shall adopt rules that allow
16 automatic vehicle identification transponders used for electronic toll
17 collection to be compatible with other electronic payment devices or
18 transponders from the Washington state ferry system, other public
19 transportation systems, or other toll collection systems to the extent
20 that technology permits.

21 (7) The conversion of a single existing high occupancy vehicle lane
22 to a high occupancy toll lane as proposed for SR-167 must be taken as
23 the exception for this pilot project.

24 (8) A violation of the lane restrictions applicable to the high
25 occupancy toll lanes established under this section is a traffic
26 infraction.

27 (9) Procurement activity associated with this pilot project shall
28 be open and competitive in accordance with chapter 39.29 RCW.

29 **Sec. 710.** RCW 47.56.876 and 2011 c 367 s 720 are each amended to
30 read as follows:

31 (~~(1)~~) A special account to be known as the state route number 520
32 civil penalties account is created in the state treasury. All state
33 route number 520 bridge replacement and HOV program civil penalties
34 generated from the nonpayment of tolls on the state route number 520
35 corridor must be deposited into the account, as provided under RCW
36 47.56.870(4)(b)(vii). Moneys in the account may be spent only after
37 appropriation. Expenditures from the account may be used to fund any

1 project within the state route number 520 bridge replacement and HOV
2 program, including mitigation. During the 2011-2013 and 2013-2015
3 fiscal ((biennium)) biennia, the legislature may transfer from the
4 state route number 520 civil penalties account to the state route
5 number 520 corridor account such amounts as reflect the excess fund
6 balance of the state route number 520 civil penalties account. Funds
7 transferred must be used solely for capital expenditures for the state
8 route number 520 bridge replacement and HOV project (8BI1003).

9 ~~((2) This section is contingent on the enactment by June 30, 2010,~~
10 ~~of either chapter 249, Laws of 2010 or chapter . . . (Substitute House~~
11 ~~Bill No. 2897), Laws of 2010, but if the enacted bill does not~~
12 ~~designate the department as the toll penalty adjudicating agency, this~~
13 ~~section is null and void.))~~

14 **Sec. 711.** RCW 46.63.170 and 2012 c 85 s 3 and 2012 c 83 s 7 are
15 each reenacted and amended to read as follows:

16 (1) The use of automated traffic safety cameras for issuance of
17 notices of infraction is subject to the following requirements:

18 (a) The appropriate local legislative authority must prepare an
19 analysis of the locations within the jurisdiction where automated
20 traffic safety cameras are proposed to be located: (i) Before enacting
21 an ordinance allowing for the initial use of automated traffic safety
22 cameras; and (ii) before adding additional cameras or relocating any
23 existing camera to a new location within the jurisdiction. Automated
24 traffic safety cameras may be used to detect one or more of the
25 following: Stoplight, railroad crossing, or school speed zone
26 violations. At a minimum, the local ordinance must contain the
27 restrictions described in this section and provisions for public notice
28 and signage. Cities and counties using automated traffic safety
29 cameras before July 24, 2005, are subject to the restrictions described
30 in this section, but are not required to enact an authorizing
31 ordinance. Beginning one year after June 7, 2012, cities and counties
32 using automated traffic safety cameras must post an annual report of
33 the number of traffic accidents that occurred at each location where an
34 automated traffic safety camera is located as well as the number of
35 notices of infraction issued for each camera and any other relevant
36 information about the automated traffic safety cameras that the city or
37 county deems appropriate on the city's or county's web site.

1 (b) Use of automated traffic safety cameras is restricted to the
2 following locations only: (i) Intersections of two arterials with
3 traffic control signals that have yellow change interval durations in
4 accordance with RCW 47.36.022, which interval durations may not be
5 reduced after placement of the camera; (ii) railroad crossings; and
6 (iii) school speed zones.

7 (c) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
8 automated traffic safety cameras may be used to detect speed violations
9 for the purposes of section 201(2), chapter 367, Laws of 2011 and
10 section 201(4) of this act if the local legislative authority first
11 enacts an ordinance authorizing the use of cameras to detect speed
12 violations.

13 (d) Automated traffic safety cameras may only take pictures of the
14 vehicle and vehicle license plate and only while an infraction is
15 occurring. The picture must not reveal the face of the driver or of
16 passengers in the vehicle. The primary purpose of camera placement is
17 to take pictures of the vehicle and vehicle license plate when an
18 infraction is occurring. Cities and counties shall consider installing
19 cameras in a manner that minimizes the impact of camera flash on
20 drivers.

21 (e) A notice of infraction must be mailed to the registered owner
22 of the vehicle within fourteen days of the violation, or to the renter
23 of a vehicle within fourteen days of establishing the renter's name and
24 address under subsection (3)(a) of this section. The law enforcement
25 officer issuing the notice of infraction shall include with it a
26 certificate or facsimile thereof, based upon inspection of photographs,
27 microphotographs, or electronic images produced by an automated traffic
28 safety camera, stating the facts supporting the notice of infraction.
29 This certificate or facsimile is prima facie evidence of the facts
30 contained in it and is admissible in a proceeding charging a violation
31 under this chapter. The photographs, microphotographs, or electronic
32 images evidencing the violation must be available for inspection and
33 admission into evidence in a proceeding to adjudicate the liability for
34 the infraction. A person receiving a notice of infraction based on
35 evidence detected by an automated traffic safety camera may respond to
36 the notice by mail.

37 (f) The registered owner of a vehicle is responsible for an
38 infraction under RCW 46.63.030(1)(d) unless the registered owner

1 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
2 car business, satisfies the conditions under subsection (3) of this
3 section. If appropriate under the circumstances, a renter identified
4 under subsection (3)(a) of this section is responsible for an
5 infraction.

6 (g) Notwithstanding any other provision of law, all photographs,
7 microphotographs, or electronic images prepared under this section are
8 for the exclusive use of law enforcement in the discharge of duties
9 under this section and are not open to the public and may not be used
10 in a court in a pending action or proceeding unless the action or
11 proceeding relates to a violation under this section. No photograph,
12 microphotograph, or electronic image may be used for any purpose other
13 than enforcement of violations under this section nor retained longer
14 than necessary to enforce this section.

15 (h) All locations where an automated traffic safety camera is used
16 must be clearly marked at least thirty days prior to activation of the
17 camera by placing signs in locations that clearly indicate to a driver
18 that he or she is entering a zone where traffic laws are enforced by an
19 automated traffic safety camera. Signs placed in automated traffic
20 safety camera locations after June 7, 2012, must follow the
21 specifications and guidelines under the manual of uniform traffic
22 control devices for streets and highways as adopted by the department
23 of transportation under chapter 47.36 RCW.

24 (i) If a county or city has established an authorized automated
25 traffic safety camera program under this section, the compensation paid
26 to the manufacturer or vendor of the equipment used must be based only
27 upon the value of the equipment and services provided or rendered in
28 support of the system, and may not be based upon a portion of the fine
29 or civil penalty imposed or the revenue generated by the equipment.

30 (2) Infractions detected through the use of automated traffic
31 safety cameras are not part of the registered owner's driving record
32 under RCW 46.52.101 and 46.52.120. Additionally, infractions generated
33 by the use of automated traffic safety cameras under this section shall
34 be processed in the same manner as parking infractions, including for
35 the purposes of RCW 3.50.100, 35.20.220, 46.16A.120, and 46.20.270(3).
36 The amount of the fine issued for an infraction generated through the
37 use of an automated traffic safety camera shall not exceed the amount
38 of a fine issued for other parking infractions within the jurisdiction.

1 However, the amount of the fine issued for a traffic control signal
2 violation detected through the use of an automated traffic safety
3 camera shall not exceed the monetary penalty for a violation of RCW
4 46.61.050 as provided under RCW 46.63.110, including all applicable
5 statutory assessments.

6 (3) If the registered owner of the vehicle is a rental car
7 business, the law enforcement agency shall, before a notice of
8 infraction being issued under this section, provide a written notice to
9 the rental car business that a notice of infraction may be issued to
10 the rental car business if the rental car business does not, within
11 eighteen days of receiving the written notice, provide to the issuing
12 agency by return mail:

13 (a) A statement under oath stating the name and known mailing
14 address of the individual driving or renting the vehicle when the
15 infraction occurred; or

16 (b) A statement under oath that the business is unable to determine
17 who was driving or renting the vehicle at the time the infraction
18 occurred because the vehicle was stolen at the time of the infraction.
19 A statement provided under this subsection must be accompanied by a
20 copy of a filed police report regarding the vehicle theft; or

21 (c) In lieu of identifying the vehicle operator, the rental car
22 business may pay the applicable penalty.

23 Timely mailing of this statement to the issuing law enforcement
24 agency relieves a rental car business of any liability under this
25 chapter for the notice of infraction.

26 (4) Nothing in this section prohibits a law enforcement officer
27 from issuing a notice of traffic infraction to a person in control of
28 a vehicle at the time a violation occurs under RCW 46.63.030(1) (a),
29 (b), or (c).

30 (5) For the purposes of this section, "automated traffic safety
31 camera" means a device that uses a vehicle sensor installed to work in
32 conjunction with an intersection traffic control system, a railroad
33 grade crossing control system, or a speed measuring device, and a
34 camera synchronized to automatically record one or more sequenced
35 photographs, microphotographs, or electronic images of the rear of a
36 motor vehicle at the time the vehicle fails to stop when facing a
37 steady red traffic control signal or an activated railroad grade
38 crossing control signal, or exceeds a speed limit in a school speed

1 zone as detected by a speed measuring device. During the 2011-2013 and
2 2013-2015 fiscal (~~(biennium)~~) biennia, an automated traffic safety
3 camera includes a camera used to detect speed violations for the
4 purposes of section 201(2), chapter 367, Laws of 2011 and section
5 201(4) of this act.

6 (6) During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~) biennia,
7 this section does not apply to automated traffic safety cameras for the
8 purposes of section 216(5), chapter 367, Laws of 2011 and section
9 216(6) of this act.

10 **Sec. 712.** RCW 46.20.745 and 2012 c 183 s 10 are each amended to
11 read as follows:

12 (1) The ignition interlock device revolving account program is
13 created within the department to assist in covering the monetary costs
14 of installing, removing, and leasing an ignition interlock device, and
15 applicable licensing, for indigent persons who are required under RCW
16 46.20.385, 46.20.720, and 46.61.5055 to install an ignition interlock
17 device in all vehicles owned or operated by the person. For purposes
18 of this subsection, "indigent" has the same meaning as in RCW
19 10.101.010, as determined by the department. During the 2013-2015
20 fiscal biennium, the ignition interlock device revolving account
21 program also includes ignition interlock enforcement work conducted by
22 the Washington state patrol.

23 (2) A pilot program is created within the ignition interlock device
24 revolving account program for the purpose of monitoring compliance by
25 persons required to use ignition interlock devices and by ignition
26 interlock companies and vendors.

27 (3) The department, the state patrol, and the Washington traffic
28 safety commission shall coordinate to establish a compliance pilot
29 program that will target at least one county from eastern Washington
30 and one county from western Washington, as determined by the
31 department, state patrol, and Washington traffic safety commission.

32 (4) At a minimum, the compliance pilot program shall:
33 (a) Review the number of ignition interlock devices that are
34 required to be installed in the targeted county and the number of
35 ignition interlock devices actually installed;
36 (b) Work to identify those persons who are not complying with

1 ignition interlock requirements or are repeatedly violating ignition
2 interlock requirements; and

3 (c) Identify ways to track compliance and reduce noncompliance.

4 (5) As part of monitoring compliance, the Washington traffic safety
5 commission shall also track recidivism for violations of RCW 46.61.502
6 and 46.61.504 by persons required to have an ignition interlock
7 driver's license under RCW 46.20.385 and 46.20.720.

8 **Sec. 713.** RCW 46.68.370 and 2011 c 367 s 716 are each amended to
9 read as follows:

10 The license plate technology account is created in the state
11 treasury. All receipts collected under RCW 46.17.015 must be deposited
12 into this account. Expenditures from this account must support current
13 and future license plate technology and systems integration upgrades
14 for both the department and correctional industries. Moneys in the
15 account may be spent only after appropriation. Additionally, the
16 moneys in this account may be used to reimburse the motor vehicle
17 account for any appropriation made to implement the digital license
18 plate system. During the 2011-2013 and 2013-2015 fiscal (~~(biennium)~~)
19 biennia, the legislature may transfer from the license plate technology
20 account to the highway safety account [fund] such amounts as reflect
21 the excess fund balance of the license plate technology account.

22 **Sec. 714.** RCW 47.12.244 and 2011 c 367 s 717 are each amended to
23 read as follows:

24 There is created the "advance right-of-way revolving fund" in the
25 custody of the treasurer, into which the department is authorized to
26 deposit directly and expend without appropriation:

27 (1) An initial deposit of ten million dollars from the motor
28 vehicle fund included in the department of transportation's 1991-93
29 budget;

30 (2) All moneys received by the department as rental income from
31 real properties that are not subject to federal aid reimbursement,
32 except moneys received from rental of capital facilities properties as
33 defined in chapter 47.13 RCW; and

34 (3) Any federal moneys available for acquisition of right-of-way
35 for future construction under the provisions of section 108 of Title
36 23, United States Code.

1 During the ((2009-2011-and)) 2011-2013 and 2013-2015 fiscal
2 biennia, the legislature may transfer from the advance right-of-way
3 revolving fund to the motor vehicle account amounts as reflect the
4 excess fund balance of the advance right-of-way revolving fund.

5 **Sec. 715.** RCW 47.12.340 and 2010 c 247 s 703 are each amended to
6 read as follows:

7 The advanced environmental mitigation revolving account is created
8 in the custody of the treasurer, into which the department shall
9 deposit directly and may expend without appropriation:

10 (1) An initial appropriation included in the department of
11 transportation's 1997-99 budget, and deposits from other identified
12 sources;

13 (2) All moneys received by the department from internal and
14 external sources for the purposes of conducting advanced environmental
15 mitigation; and

16 (3) Interest gained from the management of the advanced
17 environmental mitigation revolving account.

18 (4) During the ((2009-2011-fiscal-biennium)) 2011-2013 and 2013-
19 2015 fiscal biennia, the legislature may transfer from the advanced
20 environmental mitigation revolving account to the motor vehicle account
21 such amounts as reflect the excess fund balance of the advanced
22 environmental mitigation revolving account.

23 **Sec. 716.** RCW 46.63.180 and 2011 c 375 s 2 are each amended to
24 read as follows:

25 (1) School districts may install and operate automated school bus
26 safety cameras on school buses to be used for the detection of
27 violations of RCW 46.61.370(1) if the use of the cameras is approved by
28 a vote of the school district board of directors. School districts are
29 not required to take school buses out of service if the buses are not
30 equipped with automated school bus safety cameras or functional
31 automated safety cameras. Further, school districts shall be held
32 harmless from and not liable for any criminal or civil liability
33 arising under the provisions of this section.

34 (a) Automated school bus safety cameras may only take pictures of
35 the vehicle and vehicle license plate and only while an infraction is

1 occurring. The picture must not reveal the face of the driver or of
2 passengers in the vehicle.

3 (b) A notice of infraction must be mailed to the registered owner
4 of the vehicle within fourteen days of the violation, or to the renter
5 of a vehicle within fourteen days of establishing the renter's name and
6 address under subsection (2)(a)(i) of this section. The law
7 enforcement officer issuing the notice of infraction shall include a
8 certificate or facsimile of the notice, based upon inspection of
9 photographs, microphotographs, or electronic images produced by an
10 automated school bus safety camera, stating the facts supporting the
11 notice of infraction. This certificate or facsimile is prima facie
12 evidence of the facts contained in it and is admissible in a proceeding
13 charging a violation under this chapter. The photographs,
14 microphotographs, or electronic images evidencing the violation must be
15 available for inspection and admission into evidence in a proceeding to
16 adjudicate the liability for the infraction. A person receiving a
17 notice of infraction based on evidence detected by an automated school
18 bus safety camera may respond to the notice by mail.

19 (c) The registered owner of a vehicle is responsible for an
20 infraction under RCW 46.63.030(1)(e) unless the registered owner
21 overcomes the presumption in RCW 46.63.075, or, in the case of a rental
22 car business, satisfies the conditions under subsection (2) of this
23 section. If appropriate under the circumstances, a renter identified
24 under subsection (2)(a)(i) of this section is responsible for an
25 infraction.

26 (d) Notwithstanding any other provision of law, all photographs,
27 microphotographs, or electronic images prepared under this section are
28 for the exclusive use of law enforcement in the discharge of duties
29 under this section and are not open to the public and may not be used
30 in a court in a pending action or proceeding unless the action or
31 proceeding relates to a violation under this section. No photograph,
32 microphotograph, or electronic image may be used for any purpose other
33 than enforcement of violations under this section nor retained longer
34 than necessary to enforce this section.

35 (e) If a school district installs and operates an automated school
36 bus safety camera under this section, the compensation paid to the
37 manufacturer or vendor of the equipment used must be based only upon
38 the value of the equipment and services provided or rendered in support

1 of the system, and may not be based upon a portion of the fine or civil
2 penalty imposed or the revenue generated by the equipment. Further,
3 any repair, replacement, or administrative work costs related to
4 installing or repairing automated school bus safety cameras must be
5 solely paid for by the manufacturer or vender of the cameras. Before
6 entering into a contract with the manufacturer or vendor of the
7 equipment used under this subsection (1)(e), the school district must
8 follow the competitive bid process as outlined in RCW 28A.335.190(1).

9 (f) Any revenue collected from infractions detected through the use
10 of automated school bus safety cameras, less the administration and
11 operating costs of the cameras, must be remitted to school districts
12 for school zone safety projects as determined by the school district
13 using the automated school bus safety cameras. The administration and
14 operating costs of the cameras includes infraction enforcement and
15 processing costs that are incurred by local law enforcement or local
16 courts. During the 2013-2015 fiscal biennium, the infraction revenue
17 may also be used for school bus safety projects by those school
18 districts eligible to apply for funding from the school zone safety
19 account appropriation in section 201 of this act.

20 (2)(a) If the registered owner of the vehicle is a rental car
21 business, the law enforcement agency shall, before a notice of
22 infraction is issued under this section, provide a written notice to
23 the rental car business that a notice of infraction may be issued to
24 the rental car business if the rental car business does not, within
25 eighteen days of receiving the written notice, provide to the issuing
26 agency by return mail:

27 (i) A statement under oath stating the name and known mailing
28 address of the individual driving or renting the vehicle when the
29 infraction occurred;

30 (ii) A statement under oath that the business is unable to
31 determine who was driving or renting the vehicle at the time the
32 infraction occurred because the vehicle was stolen at the time of the
33 infraction. A statement provided under this subsection (2)(a)(ii) must
34 be accompanied by a copy of a filed police report regarding the vehicle
35 theft; or

36 (iii) In lieu of identifying the vehicle operator, the rental car
37 business may pay the applicable penalty.

1 (b) Timely mailing of a statement under this subsection to the
2 issuing law enforcement agency relieves a rental car business of any
3 liability under this chapter for the notice of infraction.

4 (3) For purposes of this section, "automated school bus safety
5 camera" means a device that is affixed to a school bus that is
6 synchronized to automatically record one or more sequenced photographs,
7 microphotographs, or electronic images of the rear of a vehicle at the
8 time the vehicle is detected for an infraction identified in RCW
9 46.61.370(1).

10 **Sec. 717.** RCW 46.68.060 and 2011 c 367 s 718 and 2011 c 298 s 26
11 are each reenacted and amended to read as follows:

12 There is hereby created in the state treasury a fund to be known as
13 the highway safety fund to the credit of which must be deposited all
14 moneys directed by law to be deposited therein. This fund must be used
15 for carrying out the provisions of law relating to driver licensing,
16 driver improvement, financial responsibility, cost of furnishing
17 abstracts of driving records and maintaining such case records, and to
18 carry out the purposes set forth in RCW 43.59.010, and chapters 46.72
19 and 46.72A RCW. During the ((2009-2011 and)) 2011-2013 and 2013-2015
20 fiscal biennia, the legislature may transfer from the highway safety
21 fund to the Puget Sound ferry operations account, the motor vehicle
22 fund, and the multimodal transportation account such amounts as reflect
23 the excess fund balance of the highway safety fund.

24 **Sec. 718.** RCW 82.70.020 and 2005 c 297 s 3 are each amended to
25 read as follows:

26 (1) Employers in this state who are taxable under chapter 82.04 or
27 82.16 RCW and provide financial incentives to their own or other
28 employees for ride sharing, for using public transportation, for using
29 car sharing, or for using nonmotorized commuting before July 1,
30 ((2013)) 2014, are allowed a credit against taxes payable under
31 chapters 82.04 and 82.16 RCW for amounts paid to or on behalf of
32 employees for ride sharing in vehicles carrying two or more persons,
33 for using public transportation, for using car sharing, or for using
34 nonmotorized commuting, not to exceed sixty dollars per employee per
35 fiscal year.

1 (2) Property managers who are taxable under chapter 82.04 or 82.16
2 RCW and provide financial incentives to persons employed at a worksite
3 in this state managed by the property manager for ride sharing, for
4 using public transportation, for using car sharing, or for using
5 nonmotorized commuting before July 1, (~~2013~~) 2014, are allowed a
6 credit against taxes payable under chapters 82.04 and 82.16 RCW for
7 amounts paid to or on behalf of these persons for ride sharing in
8 vehicles carrying two or more persons, for using public transportation,
9 for using car sharing, or for using nonmotorized commuting, not to
10 exceed sixty dollars per person per fiscal year.

11 (3) The credit under this section is equal to the amount paid to or
12 on behalf of each employee multiplied by fifty percent, but may not
13 exceed sixty dollars per employee per fiscal year. No refunds may be
14 granted for credits under this section.

15 (4) A person may not receive credit under this section for amounts
16 paid to or on behalf of the same employee under both chapters 82.04 and
17 82.16 RCW.

18 (5) A person may not take a credit under this section for amounts
19 claimed for credit by other persons.

20 **Sec. 719.** RCW 82.70.040 and 2005 c 297 s 5 are each amended to
21 read as follows:

22 (1)(a)(i) The department shall keep a running total of all credits
23 allowed under RCW 82.70.020 during each fiscal year. The department
24 shall not allow any credits that would cause the total amount allowed
25 to exceed two million seven hundred fifty thousand dollars in any
26 fiscal year. This limitation includes any deferred credits carried
27 forward under subsection (2)(b)(i) of this section from prior years.

28 (ii) During the 2013-2015 fiscal biennium, the department shall not
29 allow any credits that would cause the total amount allowed to exceed
30 one million five hundred thousand dollars in any fiscal year. This
31 limitation includes any deferred credits carried forward under
32 subsection (2)(b)(i) of this section from prior years.

33 (b) If the total amount of credit applied for by all applicants in
34 any year exceeds the limit in this subsection, the department shall
35 ratably reduce the amount of credit allowed for all applicants so that
36 the limit in this subsection is not exceeded. If a credit is reduced

1 under this subsection, the amount of the reduction may not be carried
2 forward and claimed in subsequent fiscal years.

3 (2)(a) Tax credits under RCW 82.70.020 may not be claimed in excess
4 of the amount of tax otherwise due under chapter 82.04 or 82.16 RCW.

5 (b)(i) Through June 30, 2005, a person with taxes equal to or in
6 excess of the credit under RCW 82.70.020, and therefore not subject to
7 the limitation in (a) of this subsection, may elect to defer tax
8 credits for a period of not more than three years after the year in
9 which the credits accrue. No credits deferred under this subsection
10 (2)(b)(i) may be used after June 30, 2008. A person deferring tax
11 credits under this subsection (2)(b)(i) must submit an application as
12 provided in RCW 82.70.025 in the year in which the deferred tax credits
13 will be used. This application is subject to the provisions of
14 subsection (1) of this section for the year in which the tax credits
15 will be applied. If a deferred credit is reduced under subsection
16 (1)(b) of this section, the amount of deferred credit disallowed
17 because of the reduction may be carried forward as long as the period
18 of deferral does not exceed three years after the year in which the
19 credit was earned.

20 (ii) For credits approved by the department after June 30, 2005,
21 the approved credit may be carried forward to subsequent years until
22 used. Credits carried forward as authorized by this subsection are
23 subject to the limitation in subsection (1)(a) of this section for the
24 fiscal year for which the credits were originally approved.

25 (3) No person shall be approved for tax credits under RCW 82.70.020
26 in excess of two hundred thousand dollars in any fiscal year. This
27 limitation does not apply to credits carried forward from prior years
28 under subsection (2)(b) of this section.

29 (4) No person may claim tax credits after June 30, (~~2013~~) 2014.

30 (5) Credits may not be carried forward other than as authorized in
31 subsection (2)(b) of this section.

32 (6) No person is eligible for tax credits under RCW 82.70.020 if
33 the additional revenues for the multimodal transportation account
34 created by Engrossed Substitute House Bill No. 2231 are terminated.

35 **Sec. 720.** RCW 82.70.900 and 2003 c 364 s 8 are each amended to
36 read as follows:

1 This chapter expires July 1, ((2013)) 2014, except for RCW
2 82.70.050, which expires January 1, ((2014)) 2015.

3 **2011-2013 FISCAL BIENNIUM**
4 **TRANSPORTATION AGENCIES--OPERATING**

5 **Sec. 801.** 2012 c 86 s 201 (uncodified) is amended to read as
6 follows:

7 **FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION**

8	Highway Safety Account--State Appropriation	((\$2,983,000))
9		<u>\$2,982,000</u>
10	Highway Safety Account--Federal Appropriation	((\$42,507,000))
11		<u>\$35,497,000</u>
12	Highway Safety Account--Private/Local Appropriation	\$50,000
13	School Zone Safety Account--State Appropriation	((\$3,340,000))
14		<u>\$2,340,000</u>
15	TOTAL APPROPRIATION	((\$48,880,000))
16		<u>\$40,869,000</u>

17 The appropriations in this section are subject to the following
18 conditions and limitations:

19 (1) \$1,673,900 of the highway safety account--federal appropriation
20 is provided solely for the conclusion of the target zero trooper pilot
21 program, which the commission has developed and implemented in
22 collaboration with the Washington state patrol. The pilot program must
23 continue to demonstrate the effectiveness of intense, high visibility,
24 driving under the influence enforcement in Washington. The commission
25 shall continue to apply to the national highway traffic safety
26 administration for federal highway safety grants to cover the cost of
27 the pilot program. State funding is provided in section ((207)) 807 of
28 this act for the state patrol to continue the target zero trooper
29 program in fiscal year 2013.

30 (2) The commission may oversee pilot projects implementing the use
31 of automated traffic safety cameras to detect speed violations within
32 cities west of the Cascade mountains that have a population over one
33 hundred ninety-five thousand. For the purposes of pilot projects in
34 this subsection, no more than one automated traffic safety camera may
35 be used to detect speed violations within any one jurisdiction.

1 (a) The commission shall comply with RCW 46.63.170 in administering
2 the pilot projects.

3 (b) In order to ensure adequate time in the 2011-2013 fiscal
4 biennium to evaluate the effectiveness of the pilot projects, any
5 projects authorized by the commission must be authorized by December
6 31, 2011.

7 (c) By January 1, 2013, the commission shall provide a report to
8 the legislature regarding the use, public acceptance, outcomes, and
9 other relevant issues regarding automated traffic safety cameras
10 demonstrated by the pilot projects.

11 (3) \$460,000 of the highway safety account--state appropriation is
12 provided solely for the implementation of chapter ... (Engrossed Second
13 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
14 accountability). If chapter ... (Engrossed Second Substitute House
15 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
16 amount provided in this subsection lapses.

17 (4) The commission shall conduct a review of the literature on
18 potential safety benefits realized from drivers using their headlights
19 and windshield wipers simultaneously and shall report to the
20 transportation committees of the legislature by December 1, 2011.

21 (5) (~~(\$22,000,000)~~) \$15,000,000 of the highway safety account--
22 federal appropriation is provided solely for federal funds that may be
23 obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the
24 2011-2013 fiscal biennium.

25 **Sec. 802.** 2012 c 86 s 202 (uncodified) is amended to read as
26 follows:

27 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

28 Rural Arterial Trust Account--State Appropriation	(\$915,000)
	<u>\$907,000</u>
30 Motor Vehicle Account--State Appropriation	(\$2,088,000)
	<u>\$2,086,000</u>
32 County Arterial Preservation Account--State	
33 Appropriation	(\$1,428,000)
	<u>\$1,413,000</u>
35 TOTAL APPROPRIATION	(\$4,431,000)
	<u>\$4,406,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: The county road administration board shall
3 submit a report to the transportation committees of the legislature by
4 December 1, 2011, on the implementation of the recommendations that
5 resulted from the evaluation of efficiencies in the delivery of
6 transportation funding and services to local governments that was
7 required under section 204(8), chapter 247, Laws of 2010. The report
8 must include a description of how recommendations were implemented,
9 what efficiencies were achieved, and an explanation of any
10 recommendations that were not implemented.

11 **Sec. 803.** 2012 c 86 s 203 (uncodified) is amended to read as
12 follows:

13 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**
14 Transportation Improvement Account--State
15 Appropriation ((~~\$3,625,000~~))
16 \$3,611,000

17 The appropriation in this section is subject to the following
18 conditions and limitations: The transportation improvement board shall
19 submit a report to the transportation committees of the legislature by
20 December 1, 2011, on the implementation of the recommendations that
21 resulted from the evaluation of efficiencies in the delivery of
22 transportation funding and services to local governments that was
23 required under section 204(8), chapter 247, Laws of 2010. The report
24 must include a description of how recommendations were implemented,
25 what efficiencies were achieved, and an explanation of any
26 recommendations that were not implemented.

27 **Sec. 804.** 2012 c 86 s 205 (uncodified) is amended to read as
28 follows:

29 **FOR THE TRANSPORTATION COMMISSION**
30 Motor Vehicle Account--State Appropriation ((~~\$3,028,000~~))
31 \$2,930,000
32 Multimodal Transportation Account--State Appropriation \$112,000
33 TOTAL APPROPRIATION ((~~\$3,140,000~~))
34 \$3,042,000

35 The appropriations in this section are subject to the following
36 conditions and limitations:

1 (1) Consistent with RCW 43.135.055, 47.60.290, and 47.60.315,
2 during the 2011-2013 fiscal biennium, the legislature authorizes the
3 transportation commission to periodically review and, if necessary,
4 adjust the schedule of fares for the Washington state ferry system only
5 in amounts not greater than those sufficient to generate the amount of
6 revenue required by the biennial transportation budget. When adjusting
7 ferry fares, the commission must consider input from affected ferry
8 users by public hearing and by review with the affected ferry advisory
9 committees, in addition to the data gathered from the current ferry
10 user survey.

11 (2) Consistent with RCW 43.135.055 and 47.46.100, during the
12 2011-2013 fiscal biennium, the legislature authorizes the
13 transportation commission to periodically review and, if necessary,
14 adjust the schedule of toll charges applicable to the Tacoma Narrows
15 bridge only in amounts not greater than those sufficient to support (a)
16 any required costs for operating and maintaining the toll bridge,
17 including the cost of insurance, (b) any amount required by law to meet
18 the redemption of bonds and applicable interest payments, and (c)
19 repayment of the motor vehicle fund.

20 (3) Consistent with its authority in RCW 47.56.840, the
21 transportation commission shall consider the need for a citizen
22 advisory group that provides oversight on new tolled facilities.

23 (4) \$775,000 of the motor vehicle account--state appropriation is
24 provided solely to determine the feasibility of transitioning from the
25 gas tax to a road user assessment system of paying for transportation.

26 (a) The transportation commission, with direction from the steering
27 committee created in (b) of this subsection, must: Review relevant
28 reports and data related to models of road user assessments and methods
29 of transitioning to a road user assessment system; analyze the research
30 to identify issues for policy decisions in Washington; make
31 recommendations for the design of systemwide trials; develop a plan to
32 assess public perspectives and educate the public on the current
33 transportation funding system and options for a new system; and perform
34 other tasks as deemed necessary by the steering committee.

35 (b) The transportation commission must convene a steering committee
36 to provide direction to and guide the transportation commission's work.
37 Membership of the steering committee must include, but is not limited
38 to, members representing the following interests: The trucking

1 industry; business; cities and counties; public transportation;
2 environmental; user fee technology; auto and light truck manufacturers;
3 and the motoring public. In addition, a member from each of the two
4 largest caucuses of the senate, appointed by the president of the
5 senate, and a member from each of the two largest caucuses of the house
6 of representatives, appointed by the speaker of the house of
7 representatives, must serve on the steering committee.

8 (c) The transportation commission must update the governor and the
9 legislature on this work by January 1, 2013. In addition, this update
10 must include a plan and budget request for work to be completed during
11 the 2013-2015 fiscal biennium.

12 (5) \$160,000 of the motor vehicle account--state appropriation is
13 provided solely for the transportation commission to establish a
14 statewide transportation survey panel and conduct two surveys on
15 transportation funding and policy issues during the 2011-2013 fiscal
16 biennium. At a minimum, the results of the first survey must be
17 submitted to the legislature by January 2013.

18 **Sec. 805.** 2012 c 86 s 206 (uncodified) is amended to read as
19 follows:

20 **FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD**

21 Motor Vehicle Account--State Appropriation	((\$781,000))
22	<u>\$805,000</u>

23 The appropriation in this section is subject to the following
24 conditions and limitations:

25 (1) \$100,000 of the motor vehicle account--state appropriation is
26 provided solely for an additional staff person for the freight mobility
27 strategic investment board.

28 (2) The freight mobility strategic investment board shall submit a
29 report to the transportation committees of the legislature by December
30 1, 2011, on the implementation of the recommendations that resulted
31 from the evaluation of efficiencies in the delivery of transportation
32 funding and services to local governments that was required under
33 section 204(8), chapter 247, Laws of 2010. The report must include a
34 description of how recommendations were implemented, what efficiencies
35 were achieved, and an explanation of any recommendations that were not
36 implemented.

37 (3) \$25,000 of the motor vehicle account--state appropriation is

1 provided solely to supplement existing staff and resources for
2 activities related to the development of a freight plan identified
3 under the federal moving forward for progress in the 21st century (MAP-
4 21) act of 2012.

5 **Sec. 806.** 2012 c 86 s 207 (uncodified) is amended to read as
6 follows:

7 **FOR THE WASHINGTON STATE PATROL**

8	Multimodal Transportation Account--State Appropriation	\$132,000
9	((Ignition Interlock Device Revolving Account--	
10	State Appropriation	\$212,000))
11	State Patrol Highway Account--State	
12	Appropriation	((\$350,605,000))
13		<u>\$348,619,000</u>
14	State Patrol Highway Account--Federal	
15	Appropriation	\$10,903,000
16	State Patrol Highway Account--Private/Local	
17	Appropriation	((\$3,494,000))
18		<u>\$3,674,000</u>
19	Highway Safety Account--State Appropriation	((\$432,000))
20		<u>\$5,984,000</u>
21	TOTAL APPROPRIATION	((\$365,778,000))
22		<u>\$369,312,000</u>

23 The appropriations in this section are subject to the following
24 conditions and limitations:

25 (1) Washington state patrol officers engaged in off-duty uniformed
26 employment providing traffic control services to the department of
27 transportation or other state agencies may use state patrol vehicles
28 for the purpose of that employment, subject to guidelines adopted by
29 the chief of the Washington state patrol. The Washington state patrol
30 must be reimbursed for the use of the vehicle at the prevailing state
31 employee rate for mileage and hours of usage, subject to guidelines
32 developed by the chief of the Washington state patrol. Cessna pilots
33 funded from the state patrol highway account who are certified to fly
34 the King Airs may pilot those aircraft for general fund purposes with
35 the general fund reimbursing the state patrol highway account an hourly
36 rate to cover the costs incurred during the flights since the aviation

1 section is no longer part of the Washington state patrol cost
2 allocation system as of July 1, 2009.

3 (2) The Washington state patrol shall continue to collaborate with
4 the Washington traffic safety commission on the target zero trooper
5 pilot program referenced in section (~~(201)~~) 801(1) of this act.

6 (3) \$370,000 of the state patrol highway account--state
7 appropriation is provided solely for costs associated with the pilot
8 program described under section 216(5) (~~(of this act)~~), chapter 86,
9 Laws of 2012. The Washington state patrol may incur costs related only
10 to the assignment of cadets and necessary computer equipment and to the
11 reimbursement of the Washington state department of transportation for
12 contract costs. The appropriation in this subsection must be funded
13 from the portion of the automated traffic safety camera fines deposited
14 into the state patrol highway account; however, if the fines deposited
15 into the state patrol highway account from automated traffic safety
16 camera infractions do not reach three hundred seventy thousand dollars,
17 the department of transportation shall remit funds necessary to the
18 Washington state patrol to ensure the completion of the pilot program.
19 The Washington state patrol may not incur overtime as a result of this
20 pilot program. The Washington state patrol shall not assign troopers
21 to operate or deploy the pilot program equipment used in the roadway
22 construction zones.

23 (4) (~~(\$12,160,000)~~) \$12,244,000 of the total appropriation is
24 provided solely for automobile fuel in the 2011-2013 fiscal biennium.
25 The Washington state patrol shall analyze their fuel consumption and
26 submit a report to the legislative transportation committees by
27 December 31, 2011, on fuel conservation methods that could be used to
28 minimize costs and ensure that the Washington state patrol is managing
29 fuel consumption effectively.

30 (5) (~~(\$7,672,000)~~) \$8,312,000 of the total appropriation is
31 provided solely for the purchase of pursuit vehicles.

32 (6) (~~(\$6,686,000)~~) \$6,806,000 of the total appropriation is
33 provided solely for vehicle repair and maintenance costs of vehicles
34 used for highway purposes.

35 (7) (~~(\$1,724,000)~~) \$1,856,000 of the total appropriation is
36 provided solely for the purchase of mission vehicles used for highway
37 purposes in the commercial vehicle and traffic investigation sections
38 of the Washington state patrol.

1 (8) \$1,200,000 of the total appropriation is provided solely for
2 outfitting officers. The Washington state patrol shall prepare a cost-
3 benefit analysis of the standard trooper uniform as compared to a
4 battle dress uniform and uniforms used by other states and
5 jurisdictions. The Washington state patrol shall report the results of
6 the analysis to the transportation committees of the legislature by
7 December 1, 2011.

8 (9) The Washington state patrol shall not account for or record
9 locally provided DUI cost reimbursement payments as expenditure credits
10 to the state patrol highway account. The patrol shall report the
11 amount of expected locally provided DUI cost reimbursements to the
12 office of financial management and transportation committees of the
13 legislature by September 30th of each year.

14 (10) During the 2011-2013 fiscal biennium, the Washington state
15 patrol shall continue to perform traffic accident investigations on
16 Thurston county roads, and shall work with Thurston county to
17 transition the traffic accident investigations on Thurston county roads
18 to Thurston county by July 1, 2013.

19 (11) \$2,187,000 of the state patrol highway account--state
20 appropriation is provided solely for mobile office platforms.

21 (12) \$2,731,000 of the state patrol highway account--state
22 appropriation is provided solely for the continuation of the target
23 zero trooper program.

24 (13) \$432,000 of the highway safety account--state appropriation is
25 provided solely for the implementation of chapter . . . (Second
26 Substitute House Bill No. 2443), Laws of 2012 (DUI accountability). If
27 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012 is
28 not enacted by June 30, 2012, the amount provided in this subsection
29 lapses. Additionally, the total highway safety account--state
30 appropriation in this section assumes the revenue generated by the fees
31 that the Washington state patrol is authorized to charge manufacturers,
32 technicians, and other providers under Second Substitute House Bill No.
33 2443. Within the amounts provided in this subsection is funding for
34 three additional troopers to provide oversight of the ignition
35 interlock industry.

36 (14) \$212,000 of the (~~ignition-interlock-device-revolving~~)
37 highway safety account--state appropriation is provided solely for two
38 additional troopers to provide oversight of the ignition interlock

1 industry. If chapter . . . (Second Substitute House Bill No. 2443),
2 Laws of 2012 is enacted by June 30, 2012, the amount provided in this
3 subsection lapses.

4 (15) \$132,000 of the multimodal transportation account--state
5 appropriation is provided solely for the implementation of chapter
6 . . . (Engrossed Substitute House Bill No. 1820), Laws of 2012 (blue
7 alert system). If chapter . . . (Engrossed Substitute House Bill No.
8 1820), Laws of 2012 is not enacted by June 30, 2012, the amount
9 provided in this subsection lapses.

10 **Sec. 807.** 2012 c 86 s 208 (uncodified) is amended to read as
11 follows:

12 **FOR THE DEPARTMENT OF LICENSING**

13	Marine Fuel Tax Refund Account--State Appropriation	\$32,000
14	Motorcycle Safety Education Account--State	
15	Appropriation	((\$4,367,000))
16		<u>\$4,364,000</u>
17	Wildlife Account--State Appropriation	((\$826,000))
18		<u>\$824,000</u>
19	Highway Safety Account--State Appropriation	((\$148,666,000))
20		<u>\$146,578,000</u>
21	Highway Safety Account--Federal Appropriation	\$4,299,000
22	Highway Safety Account--Private/Local Appropriation	\$200,000
23	Motor Vehicle Account--State Appropriation	((\$76,511,000))
24		<u>\$74,457,000</u>
25	Motor Vehicle Account--Private/Local Appropriation	\$1,714,000
26	Motor Vehicle Account--Federal Appropriation	\$380,000
27	Department of Licensing Services Account--State	
28	Appropriation	\$6,095,000
29	Ignition Interlock Device Revolving Account--State	
30	Appropriation	\$1,971,000
31	TOTAL APPROPRIATION	((\$245,061,000))
32		<u>\$240,914,000</u>

33 The appropriations in this section are subject to the following
34 conditions and limitations:

35 (1) \$231,000 of the motor vehicle account--state appropriation is
36 provided solely for the implementation of chapter ... (Substitute

1 Senate Bill No. 5800), Laws of 2011 (off-road motorcycles). If chapter
2 ... (Substitute Senate Bill No. 5800), Laws of 2011 is not enacted by
3 June 30, 2011, the amount provided in this subsection lapses.

4 (2) \$193,000 of the department of licensing services account--state
5 appropriation is provided solely for a phased implementation of chapter
6 ... (Substitute House Bill No. 1046), Laws of 2011 (vehicle and vessel
7 quick titles). Funding is contingent upon revenues associated with the
8 vehicle and vessel quick title program paying all direct and indirect
9 expenditures associated with the department's implementation of this
10 subsection. If chapter ... (Substitute House Bill No. 1046), Laws of
11 2011 is not enacted by June 30, 2011, the amount provided in this
12 subsection lapses.

13 (3) \$4,299,000 of the highway safety account--federal appropriation
14 is for federal funds that may be received during the 2011-2013 fiscal
15 biennium. Upon receipt of the funds, the department shall provide a
16 report on the use of the funds to the transportation committees of the
17 legislature and the office of financial management.

18 (4) By December 31, 2011, the department shall submit to the office
19 of financial management and the transportation committees of the
20 legislature draft legislation that rewrites the tow truck statutes
21 (chapter 46.55 RCW) in plain language and is revenue and policy
22 neutral.

23 (5) \$128,000 of the highway safety account--state appropriation is
24 provided solely for the implementation of chapter ... (Engrossed
25 Substitute House Bill No. 1635), Laws of 2011 (driver's license exams).
26 If chapter ... (Engrossed Substitute House Bill No. 1635), Laws of 2011
27 is not enacted by June 30, 2011, the amount provided in this subsection
28 lapses.

29 (6) \$68,000 of the highway safety account--state appropriation is
30 provided solely for the implementation of chapter ... (Engrossed Second
31 Substitute House Bill No. 1789), Laws of 2011 (addressing DUI
32 accountability). If chapter ... (Engrossed Second Substitute House
33 Bill No. 1789), Laws of 2011 is not enacted by June 30, 2011, the
34 amount provided in this subsection lapses.

35 (7) \$63,000 of the highway safety account--state appropriation is
36 provided solely for the implementation of chapter ... (Substitute House
37 Bill No. 1237), Laws of 2011 (selective service system). If chapter

1 ... (Substitute House Bill No. 1237), Laws of 2011 is not enacted by
2 June 30, 2011, the amount provided in this subsection lapses.

3 (8) \$340,000 of the motor vehicle account--private/local
4 appropriation is provided solely for the implementation of chapter ...
5 (Engrossed Substitute Senate Bill No. 5457), Laws of 2011 (congestion
6 reduction charge). If chapter ... (Engrossed Substitute Senate Bill
7 No. 5457), Laws of 2011 is not enacted by June 30, 2011, the amount
8 provided in this subsection lapses.

9 (9) \$1,738,000 of the department of licensing services account--
10 state appropriation is provided solely for purchasing equipment for
11 field licensing service offices and subagent offices.

12 (10) (~~(\$2,500,000)~~) \$1,500,000 of the highway safety account--state
13 appropriation is provided solely for information technology field
14 system modernization.

15 (11) \$963,000 of the highway safety account--state appropriation is
16 provided solely for implementation of chapter 374, Laws of 2011
17 (limousine carriers) and chapter 298, Laws of 2011 (master license
18 service program).

19 (12) \$99,000 of the motor vehicle account--state appropriation is
20 provided solely for the implementation of chapter . . . (Substitute
21 House Bill No. 2299), Laws of 2012 (special license plates). If
22 chapter . . . (Substitute House Bill No. 2299), Laws of 2012 is not
23 enacted by June 30, 2012, the amount provided in this subsection
24 lapses.

25 (13) \$174,000 of the highway safety account--state appropriation is
26 provided solely for the implementation of chapter . . . (Substitute
27 Senate Bill No. 6075), Laws of 2012 (vehicle owner information). If
28 chapter . . . (Substitute Senate Bill No. 6075), Laws of 2012 is not
29 enacted by June 30, 2012, the amount provided in this subsection
30 lapses. Additionally, the total appropriation in this section assumes
31 the revenue generated by the fee established in Substitute Senate Bill
32 No. 6075. Within the amounts provided in this subsection, the
33 department must improve on the information that the department makes
34 publicly available to victims of domestic violence and sexual assault
35 on how to better protect their personal information, especially their
36 residential addresses. Specifically, the department must provide a
37 link to the secretary of state's address confidentiality program web
38 site. The department also must provide information regarding a

1 person's ability to provide a mailing address in addition to the
2 person's residential address when registering a vehicle with the
3 department.

4 (14) \$289,000 of the highway safety account--state appropriation is
5 provided solely for the implementation of chapter . . . (Engrossed
6 Substitute Senate Bill No. 6150), Laws of 2012 (facial recognition
7 matching system). If chapter . . . (Engrossed Substitute Senate Bill
8 No. 6150), Laws of 2012 is not enacted by June 30, 2012, the amount
9 provided in this subsection lapses.

10 (15) \$397,000 of the highway safety account--state appropriation is
11 provided solely for the implementation of chapter . . . (Engrossed
12 Substitute Senate Bill No. 6284), Laws of 2012 (civil traffic
13 infractions). If chapter . . . (Engrossed Substitute Senate Bill No.
14 6284), Laws of 2012 is not enacted by June 30, 2012, the amount
15 provided in this subsection lapses. Additionally, the total highway
16 safety account--state appropriation in this section assumes the revenue
17 generated by the policy changes in chapter . . . (Engrossed Substitute
18 Senate Bill No. 6284), Laws of 2012.

19 (16) \$222,000 of the motor vehicle account--state appropriation and
20 \$36,000 of the highway safety account--state appropriation are provided
21 solely for the implementation of chapter . . . (Engrossed Substitute
22 Senate Bill No. 6455), Laws of 2012 (transportation revenue). If
23 chapter . . . (Engrossed Substitute Senate Bill No. 6455), Laws of 2012
24 is not enacted by June 30, 2012, the amount provided in this subsection
25 lapses.

26 (17) \$274,000 of the motor vehicle account--state appropriation is
27 provided solely for the implementation of chapter . . . (Engrossed
28 Substitute Senate Bill No. 6582), Laws of 2012 (local transportation
29 revenue options). If chapter . . . (Engrossed Substitute Senate Bill
30 No. 6582), Laws of 2012 is not enacted by June 30, 2012, the amount
31 provided in this subsection lapses.

32 (18) Within the amounts provided in this section, the department
33 must develop a transition plan for moving to a paperless renewal notice
34 for drivers' licenses and vehicle registrations. The plan must
35 consider people that do not have access to the internet and must
36 include an opportunity for people to opt-in to a paper renewal notice.
37 Prior to the implementation of a paperless renewal system, the
38 department must consult with the joint transportation committee.

1 (19) Within existing resources, the department shall develop a plan
2 to transition to a ten-year license plate replacement cycle. At a
3 minimum, the plan must include the following provisions: (a) A ten-
4 year replacement cycle for license plates only on vehicles that are
5 subject to annual vehicle registration renewal; (b) a requirement that
6 new license plates and registration, including all fees and taxes due
7 upon annual registration, are required when a vehicle changes
8 ownership, except when a vehicle is sold to a vehicle dealer for
9 resale, in which case they are due only when the dealer sells the
10 vehicle; (c) an original issue license plate fee that is equal to the
11 current license plate replacement fee; and (d) an estimate of the
12 plan's costs to implement and revenues generated. The department shall
13 submit the plan with draft legislation implementing the plan to the
14 transportation committees of the legislature by December 31, 2012.

15 (20) Consistent with RCW 43.135.055 and 43.24.086, during the
16 2011-2013 fiscal biennium, the legislature authorizes the department to
17 adjust the business and vehicle fees for the for hire licensing program
18 in amounts sufficient to recover the costs of administering the for
19 hire licensing program.

20 (21) The legislature intends to establish a veteran designation for
21 drivers' licenses and identicards issued under chapter 46.20 RCW, as
22 proposed under House Bill No. 2378, during the 2013 legislative
23 session. The designation would serve to establish a person's service
24 in the armed forces and be granted to a person who provides a United
25 States department of defense discharge document, DD Form 214, that
26 shows a discharge status of "honorable" or "general under honorable
27 conditions." The department shall report to the transportation
28 committees of the legislature by December 1, 2012, with a plan to
29 implement the designation. The plan must include the most cost-
30 effective options for implementation, a proposed fee amount to cover
31 the costs of the designation, and any other recommendations on the
32 implementation of the designation.

33 (22) \$59,000 of the motor vehicle account--state appropriation is
34 provided solely for the implementation of chapter . . . (Substitute
35 House Bill No. 2312), Laws of 2012 (military service award emblems).
36 If chapter . . . (Substitute House Bill No. 2312), Laws of 2012 is not
37 enacted by June 30, 2012, the amount provided in this subsection
38 lapses.

1 (23) \$656,000 of the ignition interlock device revolving account--
2 state appropriation is provided solely for the implementation of
3 chapter . . . (Second Substitute House Bill No. 2443), Laws of 2012
4 (DUI accountability). If chapter . . . (Second Substitute House Bill
5 No. 2443), Laws of 2012 is not enacted by June 30, 2012, the amount
6 provided in this subsection lapses.

7 (24) \$134,000 of the highway safety account--state appropriation
8 and \$134,000 of the motor vehicle account--state appropriation are
9 provided solely for the implementation of chapter . . . (Engrossed
10 Second Substitute House Bill No. 2373), Laws of 2012 (state
11 recreational resources). If chapter . . . (Engrossed Second Substitute
12 House Bill No. 2373), Laws of 2012 is not enacted by June 30, 2012, the
13 amount provided in this subsection lapses.

14 (25) \$3,082,000 of the highway safety account--state appropriation
15 is provided solely for exam and licensing activities, including the
16 workload associated with providing driver record abstracts, and is
17 subject to the following additional conditions and limitations:

18 (a) The department may furnish driving record abstracts only to
19 those persons or entities expressly authorized to receive the abstracts
20 under Title 46 RCW;

21 (b) The department may furnish driving record abstracts only for an
22 amount that does not exceed the specified fee amounts in RCW 46.52.130
23 (2)(e)(v) and (4); and

24 (c) The department may not enter into a contract, or otherwise
25 participate in any arrangement, with a third party or other state
26 agency for any service that results in an additional cost, in excess of
27 the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to
28 statutorily authorized persons or entities purchasing a driving record
29 abstract.

30 **Sec. 808.** 2012 c 86 s 209 (uncodified) is amended to read as
31 follows:

32 **FOR THE DEPARTMENT OF TRANSPORTATION--TOLL OPERATIONS AND**
33 **MAINTENANCE--PROGRAM B**

34	High Occupancy Toll Lanes Operations Account--State	
35	Appropriation	(((\$1,276,000))
36		<u>\$1,569,000</u>
37	Motor Vehicle Account--State Appropriation	(((\$538,000))

1		<u>\$537,000</u>
2	Tacoma Narrows Toll Bridge Account--State	
3	Appropriation	((\$23,365,000))
4		<u>\$23,361,000</u>
5	State Route Number 520 Corridor Account--State	
6	Appropriation	((\$27,295,000))
7		<u>\$27,120,000</u>
8	State Route Number 520 Civil Penalties	
9	Account--State Appropriation	((\$3,622,000))
10		<u>\$2,564,000</u>
11	TOTAL APPROPRIATION	((\$56,096,000))
12		<u>\$55,151,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1) The department shall make detailed quarterly expenditure
16 reports available to the transportation commission and to the public on
17 the department's web site using current department resources. The
18 reports must include a summary of toll revenue by facility on all
19 operating toll facilities and high occupancy toll lane systems, and an
20 itemized depiction of the use of that revenue.

21 (2) \$3,622,000 of the state route number 520 civil penalties
22 account--state appropriation and \$1,458,000 of the Tacoma Narrows toll
23 bridge account--state appropriation are provided solely for
24 expenditures related to the toll adjudication process. All costs
25 associated with the toll adjudication process are anticipated to be
26 covered by revenue collected from the toll adjudication process. The
27 department shall report quarterly on the civil penalty process to the
28 office of financial management and the house of representatives and
29 senate transportation committees beginning September 30, 2011. The
30 reports must include a summary table for each toll facility that
31 includes: The number of notices of civil penalty issued; the number of
32 recipients who pay before the notice becomes a penalty; the number of
33 recipients who request a hearing and the number who do not respond;
34 workload costs related to hearings; the cost and effectiveness of debt
35 collection activities; and revenues generated from notices of civil
36 penalty.

37 (3) It is the intent of the legislature that transitioning to a
38 statewide tolling operations center and preparing for all-electronic

1 tolling on certain toll facilities will have no adverse revenue or
2 expenditure impact on the Tacoma Narrows toll bridge account. Any
3 increased costs related to this transition shall not be allocated to
4 the Tacoma Narrows toll bridge account. All costs associated with the
5 toll adjudication process are anticipated to be covered by revenue
6 collected from the toll adjudication process.

7 (4) The department shall ensure that, at no cost to the Tacoma
8 Narrows toll bridge account, new electronic tolling tag readers are
9 installed on the Tacoma Narrows bridge as soon as practicable that are
10 able to read existing and new electronic tolling tags.

11 (5) (~~(\$17,786,000)~~) \$15,238,000 of the state route number 520
12 corridor account--state appropriation is provided solely for nonvendor
13 costs associated with tolling the state route number 520 bridge. Funds
14 from the state route number 520 corridor account--state appropriation
15 shall not be used to pay for items prohibited by Executive Order No.
16 1057, including subscriptions to technical publications, employee
17 educational expenses, professional membership dues and fees, employee
18 recognition and safety awards, meeting meals and light refreshments,
19 commute trip reduction incentives, and employee travel.

20 **Sec. 809.** 2012 c 86 s 210 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--INFORMATION TECHNOLOGY--PROGRAM**
23 **C**

24	Motor Vehicle Account--State Appropriation	((\$67,398,000))
25		<u>\$65,667,000</u>
26	Transportation Partnership Account--State	
27	Appropriation	\$1,460,000
28	Multimodal Transportation Account--State	
29	Appropriation	\$363,000
30	Transportation 2003 Account (Nickel Account)--State	
31	Appropriation	\$1,460,000
32	TOTAL APPROPRIATION	((\$70,681,000))
33		<u>\$68,950,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations:

36 (1) The department shall consult with the office of financial
37 management and the department of enterprise services to: (a) Ensure

1 that the department's current and future system development is
2 consistent with the overall direction of other key state systems; and
3 (b) when possible, use or develop common statewide information systems
4 to encourage coordination and integration of information used by the
5 department and other state agencies and to avoid duplication.

6 (2) \$1,460,000 of the transportation partnership account--state
7 appropriation and \$1,460,000 of the transportation 2003 account (nickel
8 account)--state appropriation are provided solely for maintaining the
9 department's project management reporting system.

10 (3) \$210,000 of the motor vehicle account--state appropriation is
11 provided solely for the department's compliance with its national
12 pollution discharge elimination system permit.

13 (4) \$502,000 of the motor vehicle account--state appropriation is
14 provided solely to provide support for the transportation executive
15 information system.

16 **Sec. 810.** 2012 c 86 s 211 (uncodified) is amended to read as
17 follows:

18 **FOR THE DEPARTMENT OF TRANSPORTATION--FACILITY MAINTENANCE, OPERATIONS**
19 **AND CONSTRUCTION--PROGRAM D--OPERATING**

20 Motor Vehicle Account--State Appropriation (~~(\$25,466,000)~~)
21 \$25,440,000

22 The appropriation in this section is subject to the following
23 conditions and limitations:

24 (1) The department shall submit a predesign proposal for a new
25 traffic management center to the office of financial management
26 consistent with the process followed by nontransportation capital
27 construction projects. The department shall not award a contract for
28 construction of a new traffic management center until the predesign
29 proposal has been submitted and the office of financial management has
30 completed a budget evaluation study that indicates a new building is
31 the recommended option for accommodating additional traffic management
32 operations.

33 (2) \$850,000 of the motor vehicle account--state appropriation is
34 provided solely for the department's compliance with its national
35 pollution discharge elimination system permit.

1 available at the site. Therefore, pursuant to RCW 47.12.080, the
2 legislature declares that transferring the property to the department
3 of fish and wildlife for recreational use and fish and wildlife
4 restoration efforts is consistent with the public interest in order to
5 preserve the area for the use of the public and the betterment of the
6 natural environment. The department of transportation shall work with
7 the department of fish and wildlife, and shall transfer and convey the
8 Dryden pit site to the department of fish and wildlife as is for an
9 adjusted fair market value reflecting site conditions, the proceeds of
10 which must be deposited in the motor vehicle fund. The department of
11 transportation is not responsible for any costs associated with the
12 cleanup or transfer of this property. By July 1, 2011, and annually
13 thereafter until the entire Dryden pit property has been transferred,
14 the department shall submit a status report regarding the transaction
15 to the chairs of the legislative transportation committees.

16 (4) The legislature recognizes that the trail known as the Apple
17 Capital Loop, and its extensions, serve to separate motor vehicle
18 traffic from pedestrians and bicyclists, increasing motor vehicle
19 safety on existing state route number 28. Consistent with chapter
20 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that
21 transferring portions of WSDOT Inventory Control (IC) Nos. 2-09-04537
22 and 2-09-04569 to Douglas county and the city of East Wenatchee is
23 consistent with the public interest. The legislature directs the
24 department to transfer the property to Douglas county and the city of
25 East Wenatchee. The department must be paid fair market value for any
26 portions of the transferred real property that is later abandoned,
27 vacated, or ceases to be publicly maintained for trail purposes.
28 Douglas county and the city of East Wenatchee must agree to accept
29 responsibility for trail segments within their respective jurisdictions
30 and sign an agreement with the state that the transfer of these parcels
31 to their respective jurisdictions extinguishes any state obligations to
32 improve, maintain, or be in any way responsible for these assets. The
33 department shall report to the transportation committees of the
34 legislature by June 30, 2013, and annually thereafter, on the status of
35 the transfer until complete.

36 **Sec. 813.** 2012 c 86 s 214 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--ECONOMIC PARTNERSHIPS--PROGRAM	
2	K	
3	Motor Vehicle Account--State Appropriation	((\$827,000))
4		<u>\$826,000</u>
5	Multimodal Transportation Account--State Appropriation	\$110,000
6	TOTAL APPROPRIATION	((\$937,000))
7		<u>\$936,000</u>

8 The appropriations in this section are subject to the following
9 conditions and limitations:

10 (1)(a) \$225,000 of the motor vehicle account--state appropriation
11 is provided solely to carry out work related to assessing the
12 operational feasibility of a road user assessment, including
13 technology, agency administration, multistate and federal standards,
14 and other necessary elements. This work must be carried out under the
15 guidance of the steering committee and in coordination with the
16 transportation commission's policy assessment and public outreach
17 planning authorized in section 205(4) (~~of this act~~) chapter 86, Laws
18 of 2012.

19 (b) If subsequent appropriations are provided, the department may
20 conduct a limited scope pilot project to test the feasibility of a road
21 user assessment system to be applied to electric vehicles. The pilot
22 project must be carried out under the guidance of the steering
23 committee described under section 205(4) (~~of this act~~) chapter 86,
24 Laws of 2012 and in coordination with the transportation commission.

25 (2) The department shall conduct a study on the potential to
26 generate revenue from off-premise outdoor advertising signs that are
27 erected or maintained adjacent and visible to the interstate system
28 highways, primary system highways, or scenic system highways. The
29 study must provide an evaluation of the market for outdoor advertising
30 signs, including an evaluation of the number of potential advertisers
31 and the amount charged by other jurisdictions for sign permits, and
32 must provide a recommendation for a revised fee structure that
33 recognizes the market value for off-premise signs and considers
34 charging differential fees based on the size, type, and location of the
35 sign.

36 (3) The public-private partnerships office must explore retail
37 partnerships at state-owned park-and-ride facilities, as authorized in

1 RCW 47.04.295, and if feasible, solicit proposals to implement a retail
2 partnership pilot project at one park-and-ride facility by June 30,
3 2013.

4 **Sec. 814.** 2012 c 86 s 215 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--HIGHWAY MAINTENANCE--PROGRAM M**

7 Motor Vehicle Account--State Appropriation	((\$373,709,000))
8	<u>\$376,259,000</u>
9 Motor Vehicle Account--Federal Appropriation	\$7,000,000
10 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
11 TOTAL APPROPRIATION	((\$380,709,000))
12	<u>\$386,759,000</u>

13 The appropriations in this section are subject to the following
14 conditions and limitations:

15 (1) The department shall request an unanticipated receipt for any
16 federal moneys received for emergency snow and ice removal (~~and shall~~
17 ~~place an equal amount of the motor vehicle account state appropriation~~
18 ~~into unallotted status. This exchange shall not affect the amount of~~
19 ~~funding available for snow and ice removal~~)).

20 (2) (~~\$7,000,000~~) \$7,850,000 of the motor vehicle account--state
21 appropriation is provided solely for third-party damages to the highway
22 system where the responsible party is known and reimbursement is
23 anticipated. The department shall request additional appropriation
24 authority for any funds received for reimbursements of third-party
25 damages that are in excess of this appropriation.

26 (3) \$7,000,000 of the motor vehicle account--federal appropriation
27 is for unanticipated federal funds that may be received during the
28 2011-2013 fiscal biennium. Upon receipt of the funds, the department
29 shall provide a report on the use of the funds to the transportation
30 committees of the legislature and the office of financial management.

31 (4) The department may work with the department of corrections to
32 utilize corrections crews for the purposes of litter pickup on state
33 highways.

34 (5) \$4,530,000 of the motor vehicle account--state appropriation is
35 provided solely for the department's compliance with its national
36 pollution discharge elimination system permit.

1 (6) The department shall continue to report maintenance
2 accountability process (MAP) targets and achievements on an annual
3 basis. The department shall use available funding to target and
4 deliver a minimum MAP grade of C for the activity of roadway striping.

5 (7) \$6,884,000 of the motor vehicle account--state appropriation is
6 provided solely for the high priority maintenance backlog. Addressing
7 the maintenance backlog must result in increased levels of service. If
8 chapter . . . (Engrossed Substitute Senate Bill No. 5251), Laws of 2011
9 (electric vehicle fee) is not enacted by June 30, 2011, \$500,000 of the
10 appropriation provided in this subsection lapses.

11 (8) The department shall track the costs associated with active
12 traffic management systems on a corridor basis and report to the
13 transportation committees of the legislature on the costs and benefits
14 of the systems by December 1, 2012.

15 **Sec. 815.** 2012 c 86 s 216 (uncodified) is amended to read as
16 follows:

17 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
18 **OPERATING**

19	Motor Vehicle Account--State Appropriation	((\$48,818,000))
20		<u>\$48,741,000</u>
21	Motor Vehicle Account--Federal Appropriation	\$2,050,000
22	Motor Vehicle Account--Private/Local Appropriation	\$250,000
23	TOTAL APPROPRIATION	((\$51,118,000))
24		<u>\$51,041,000</u>

25 The appropriations in this section are subject to the following
26 conditions and limitations:

27 (1) \$6,000,000 of the motor vehicle account--state appropriation is
28 provided solely for low-cost enhancements. Of this amount, \$10,000 of
29 the motor vehicle account--state appropriation is provided solely for
30 the department to install additional farm machinery signs to promote
31 safety in agricultural areas along state highways. The department
32 shall give priority to low-cost enhancement projects that improve
33 safety or provide congestion relief. The department shall prioritize
34 low-cost enhancement projects on a statewide rather than regional
35 basis. By September 1st of each even-numbered year, the department
36 shall provide a report to the legislature listing all low-cost

1 enhancement projects prioritized on a statewide rather than regional
2 basis completed in the prior year.

3 (2) \$145,000 of the motor vehicle account--state appropriation is
4 provided solely for the department to continue a pilot tow truck
5 incentive program and to expand the program to other areas of the
6 state. The department may provide incentive payments to towing
7 companies that meet clearance goals on accidents that involve heavy
8 trucks.

9 (3) During the 2011-2013 fiscal biennium, the department shall
10 implement a pilot program that expands private transportation
11 providers' access to high occupancy vehicle lanes. Under the pilot
12 program, when the department reserves a portion of a highway based on
13 the number of passengers in a vehicle, the following vehicles must be
14 authorized to use the reserved portion of the highway if the vehicle
15 has the capacity to carry eight or more passengers, regardless of the
16 number of passengers in the vehicle: (a) Auto transportation company
17 vehicles regulated under chapter 81.68 RCW; (b) passenger charter
18 carrier vehicles regulated under chapter 81.70 RCW, except marked or
19 unmarked stretch limousines and stretch sport utility vehicles as
20 defined under department of licensing rules; (c) private nonprofit
21 transportation provider vehicles regulated under chapter 81.66 RCW; and
22 (d) private employer transportation service vehicles. For purposes of
23 this subsection, "private employer transportation service" means
24 regularly scheduled, fixed-route transportation service that is offered
25 by an employer for the benefit of its employees. By June 30, 2013, the
26 department shall report to the transportation committees of the
27 legislature on whether private transportation provider use of high
28 occupancy vehicle lanes under the pilot program reduces the speeds of
29 high occupancy vehicle lanes. Nothing in this subsection is intended
30 to authorize the conversion of public infrastructure to private, for-
31 profit purposes or to otherwise create an entitlement or other claim by
32 private users to public infrastructure. If chapter ... (Substitute
33 Senate Bill No. 5836), Laws of 2011 is enacted by June 30, 2011, this
34 subsection is null and void.

35 (4) \$9,000,000 of the motor vehicle account--state appropriation is
36 provided solely for the department's incident response program.

37 (5) The department, in consultation with the Washington state
38 patrol, must continue a pilot program for the patrol to issue

1 infractions based on information from automated traffic safety cameras
2 in roadway construction zones on state highways. The department must
3 report to the joint transportation committee by January 1, 2012, and
4 January 1, 2013, on the status of this pilot program. For the purpose
5 of this pilot program, during the 2011-2013 fiscal biennium, a roadway
6 construction zone includes areas where public employees or private
7 contractors may be present or where a driving condition exists that
8 would make it unsafe to drive at higher speeds, such as, when the
9 department is redirecting or realigning lanes on any public roadway
10 pursuant to ongoing construction. The department shall use the
11 following guidelines to administer the program:

12 (a) Automated traffic safety cameras may only take pictures of the
13 vehicle and vehicle license plate and only while an infraction is
14 occurring. The picture must not reveal the face of the driver or of
15 passengers in the vehicle;

16 (b) The department shall plainly mark the locations where the
17 automated traffic safety cameras are used by placing signs on locations
18 that clearly indicate to a driver that he or she is entering a roadway
19 construction zone where traffic laws are enforced by an automated
20 traffic safety camera;

21 (c) Notices of infractions must be mailed to the registered owner
22 of a vehicle within fourteen days of the infraction occurring;

23 (d) The owner of the vehicle is not responsible for the violation
24 if the owner of the vehicle, within fourteen days of receiving
25 notification of the violation, mails to the patrol, a declaration under
26 penalty of perjury, stating that the vehicle involved was, at the time,
27 stolen or in the care, custody, or control of some person other than
28 the registered owner, or any other extenuating circumstances;

29 (e) For purposes of the 2011-2013 fiscal biennium pilot program,
30 infractions detected through the use of automated traffic safety
31 cameras are not part of the registered owner's driving record under RCW
32 46.52.101 and 46.52.120. Additionally, infractions generated by the
33 use of automated traffic safety cameras must be processed in the same
34 manner as parking infractions for the purposes of RCW 3.50.100,
35 35.20.220, 46.16A.120, and 46.20.270(3). However, the amount of the
36 fine issued under this subsection (5) for an infraction generated
37 through the use of an automated traffic safety camera is one hundred

1 thirty-seven dollars. The court shall remit thirty-two dollars of the
2 fine to the state treasurer for deposit into the state patrol highway
3 account; and

4 (f) If a notice of infraction is sent to the registered owner and
5 the registered owner is a rental car business, the infraction must be
6 dismissed against the business if it mails to the patrol, within
7 fourteen days of receiving the notice, a declaration under penalty of
8 perjury of the name and known mailing address of the individual driving
9 or renting the vehicle when the infraction occurred. If the business
10 is unable to determine who was driving or renting the vehicle at the
11 time the infraction occurred, the business must sign a declaration
12 under penalty of perjury to this effect. The declaration must be
13 mailed to the patrol within fourteen days of receiving the notice of
14 traffic infraction. Timely mailing of this declaration to the issuing
15 agency relieves a rental car business of any liability under this
16 section for the notice of infraction. A declaration form suitable for
17 this purpose must be included with each automated traffic infraction
18 notice issued, along with instructions for its completion and use.

19 (6) The department shall track the costs associated with active
20 traffic management systems on a corridor basis and report to the
21 transportation committees of the legislature on the cost and benefits
22 of the systems by December 1, 2011.

23 **Sec. 816.** 2012 c 86 s 217 (uncodified) is amended to read as
24 follows:

25 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION MANAGEMENT AND**
26 **SUPPORT--PROGRAM S**

27	Motor Vehicle Account--State Appropriation	((\$27,389,000))
28		<u>\$27,335,000</u>
29	Motor Vehicle Account--Federal Appropriation	\$30,000
30	Multimodal Transportation Account--State	
31	Appropriation	\$973,000
32	TOTAL APPROPRIATION	((\$28,392,000))
33		<u>\$28,338,000</u>

34 The appropriations in this section are subject to the following
35 conditions and limitations: The department shall utilize existing
36 resources and customer service staff to develop and implement new

1 policies and procedures to ensure compliance with new federal passenger
2 vessel Americans with disabilities act requirements.

3 **Sec. 817.** 2012 c 86 s 218 (uncodified) is amended to read as
4 follows:

5 **FOR THE DEPARTMENT OF TRANSPORTATION--TRANSPORTATION PLANNING, DATA,**
6 **AND RESEARCH--PROGRAM T**

7	Motor Vehicle Account--State Appropriation	((\$22,304,000))
8		<u>\$22,245,000</u>
9	Motor Vehicle Account--Federal Appropriation	\$21,885,000
10	Multimodal Transportation Account--State	
11	Appropriation	\$662,000
12	Multimodal Transportation Account--Federal	
13	Appropriation	\$3,559,000
14	Multimodal Transportation Account--Private/Local	
15	Appropriation	\$100,000
16	TOTAL APPROPRIATION	((\$48,510,000))
17		<u>\$48,451,000</u>

18 The appropriations in this section are subject to the following
19 conditions and limitations:

20 (1) \$70,000 of the motor vehicle account--state appropriation is a
21 reappropriation provided solely for a corridor study of state route
22 number 516 from the eastern border of Maple Valley to state route
23 number 167 to determine whether improvements are needed and the costs
24 of any needed improvements.

25 (2) \$200,000 of the motor vehicle account--state appropriation is
26 provided solely for extending the freight database pilot project that
27 began in 2009. Global positioning system (GPS) data is intended to
28 help guide freight investment decisions and track highway project
29 effectiveness as it relates to freight traffic.

30 (3) Within available resources, the department must collaborate
31 with the affected metropolitan planning organizations, regional
32 transportation planning organizations, transit agencies, and private
33 transportation providers to develop a plan to reduce vehicle demand,
34 increase public transportation options, and reduce vehicle miles
35 traveled on corridors affected by growth at Joint Base Lewis-McChord.

36 (4) As part of their ongoing regional transportation planning, the
37 regional transportation planning organizations across the state shall

1 work together to provide a comprehensive framework for sources and uses
2 of next-stage investments in transportation needed to improve
3 structural conditions and ongoing operations and lay the groundwork for
4 the transportation systems to support the long-term economic vitality
5 of the state. This planning must include all forms of transportation
6 to reflect the state's interests, including: Highways, streets, and
7 roads; ferries; public transportation; systems for freight; and walking
8 and biking systems. The department shall support this planning by
9 providing information on potential state transportation uses and an
10 analysis of potential sources of revenue to implement investments. In
11 carrying out this planning, regional transportation planning
12 organizations must be broadly inclusive of business, civic, labor,
13 governmental, and environmental interests in regional communities
14 across the state.

15 (5) \$190,000 of the motor vehicle account--state appropriation is
16 provided solely for the regional transportation planning organizations
17 across the state to implement the comprehensive transportation planning
18 and data framework. The framework must provide regional transportation
19 planning organizations with the ability to identify the spatial and
20 temporal status of current and future high priority projects, and the
21 next stage investment necessary to implement those projects. The
22 framework must be accessible to the public and provide transparency and
23 accountability to the regional transportation planning process.

24 (6) Within existing resources, the department shall work with the
25 department of archaeology and historic preservation to develop a
26 statewide policy regarding the curation of artifacts and the use of
27 museums and information centers as potential mitigation under the
28 national environmental policy act. This policy must address the
29 following issues: How to minimize costs associated with information
30 centers and museums; when to use existing facilities to preserve and
31 display artifacts; how to minimize the time that stand-alone facilities
32 are needed; and how to transfer artifacts and other items to facilities
33 that are not owned or rented by the department. A report regarding
34 this policy must be submitted to the joint transportation committee by
35 September 1, 2012.

36 **Sec. 818.** 2012 c 86 s 219 (uncodified) is amended to read as
37 follows:

1 **FOR THE DEPARTMENT OF TRANSPORTATION--CHARGES FROM OTHER AGENCIES--**
 2 **PROGRAM U**

3	Motor Vehicle Account--State Appropriation	((\$74,734,000))
4		<u>\$71,530,000</u>
5	Motor Vehicle Account--Federal Appropriation	\$400,000
6	Multimodal Transportation Account--State	
7	Appropriation	\$1,798,000
8	TOTAL APPROPRIATION	((\$76,932,000))
9		<u>\$73,728,000</u>

10 The appropriations in this section are subject to the following
 11 conditions and limitations:

12 (1) The department of enterprise services must provide a detailed
 13 accounting of the revenues and expenditures of the self-insurance fund
 14 to the transportation committees of the legislature on December 31st
 15 and June 30th of each year.

16 (2) Payments in this section represent charges from other state
 17 agencies to the department of transportation.

18 (a) TO THE SECRETARY OF STATE--ARCHIVES AND
 19 RECORDS MANAGEMENT \$512,000

20 (b) TO THE OFFICE OF THE STATE AUDITOR--AUDITOR
 21 SERVICES \$488,000

22 (c) TO THE OFFICE OF THE ATTORNEY
 23 GENERAL--ATTORNEY GENERAL SERVICES \$7,127,000

24 (d) TO THE OFFICE OF FINANCIAL MANAGEMENT--LABOR
 25 RELATIONS SERVICES \$266,000

26 (e) TO THE OFFICE OF FINANCIAL
 27 MANAGEMENT--OFFICE OF CHIEF INFORMATION OFFICER \$473,000

28 (f) TO THE OFFICE OF MINORITY AND WOMEN'S
 29 BUSINESS ENTERPRISES \$840,000

30 (g) TO CONSOLIDATED TECHNICAL SERVICES \$182,000

31 (h) TO THE DEPARTMENT OF ENTERPRISE
 32 SERVICES--HUMAN RESOURCE MANAGEMENT SYSTEM \$3,495,000

33 (i) TO THE DEPARTMENT OF ENTERPRISE
 34 SERVICES--PRODUCTION SUPPORT \$974,000

35 (j) TO THE DEPARTMENT OF ENTERPRISE
 36 SERVICES--REAL ESTATE SERVICES \$108,000

37 (k) TO THE DEPARTMENT OF ENTERPRISE
 38 SERVICES--PUBLICATIONS AND HISTORICAL SERVICES \$691,000

1 (1) \$25,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for a grant program for special needs
3 transportation provided by transit agencies and nonprofit providers of
4 transportation.

5 (a) \$5,500,000 of the multimodal transportation account--state
6 appropriation is provided solely for grants to nonprofit providers of
7 special needs transportation. Grants for nonprofit providers must be
8 based on need, including the availability of other providers of service
9 in the area, efforts to coordinate trips among providers and riders,
10 and the cost effectiveness of trips provided.

11 (b) \$19,500,000 of the multimodal transportation account--state
12 appropriation is provided solely for grants to transit agencies to
13 transport persons with special transportation needs. To receive a
14 grant, the transit agency must have a maintenance of effort for special
15 needs transportation that is no less than the previous year's
16 maintenance of effort for special needs transportation. Grants for
17 transit agencies must be prorated based on the amount expended for
18 demand response service and route deviated service in calendar year
19 2009 as reported in the "Summary of Public Transportation - 2009"
20 published by the department of transportation. No transit agency may
21 receive more than thirty percent of these distributions.

22 (2) Funds are provided for the rural mobility grant program as
23 follows:

24 (a) \$8,500,000 of the rural mobility grant program account--state
25 appropriation is provided solely for grants for those transit systems
26 serving small cities and rural areas as identified in the "Summary of
27 Public Transportation - 2009" published by the department of
28 transportation. Noncompetitive grants must be distributed to the
29 transit systems serving small cities and rural areas in a manner
30 similar to past disparity equalization programs. If the funding
31 provided in this subsection (2)(a) exceeds the amount required for
32 recipient counties to reach eighty percent of the average per capita
33 sales tax, funds in excess of that amount may be used for the
34 competitive grant process established in (b) of this subsection.

35 (b) \$8,500,000 of the rural mobility grant program account--state
36 appropriation is provided solely to providers of rural mobility service
37 in areas not served or underserved by transit agencies through a
38 competitive grant process.

1 (3)(a) \$6,000,000 of the multimodal transportation account--state
2 appropriation is provided solely for a vanpool grant program for: (a)
3 Public transit agencies to add vanpools or replace vans; and (b)
4 incentives for employers to increase employee vanpool use. The grant
5 program for public transit agencies will cover capital costs only;
6 operating costs for public transit agencies are not eligible for
7 funding under this grant program. Additional employees may not be
8 hired from the funds provided in this section for the vanpool grant
9 program, and supplanting of transit funds currently funding vanpools is
10 not allowed. The department shall encourage grant applicants and
11 recipients to leverage funds other than state funds.

12 (b) At least \$1,600,000 of the amount provided in this subsection
13 must be used for vanpool grants in congested corridors.

14 (c) \$520,000 of the amount provided in this subsection is provided
15 solely for the purchase of additional vans for use by vanpools serving
16 soldiers and civilian employees at Joint Base Lewis-McChord.

17 (4) (~~(\$8,942,000)~~) \$6,453,000 of the regional mobility grant
18 program account--state appropriation is reappropriated and provided
19 solely for the regional mobility grant projects identified in LEAP
20 Transportation Document (~~(2012-1)~~) 2013-2 ALL PROJECTS - Public
21 Transportation - Program (V) as developed (~~(March 8, 2012)~~) April 23,
22 2013. The department shall continue to review all projects receiving
23 grant awards under this program at least semiannually to determine
24 whether the projects are making satisfactory progress. The department
25 shall promptly close out grants when projects have been completed, and
26 any remaining funds must be used only to fund projects identified in
27 the LEAP transportation document referenced in this subsection. It is
28 the intent of the legislature to appropriate funds through the regional
29 mobility grant program only for projects that will be completed on
30 schedule and that all funds in the regional mobility grant program be
31 used as soon as practicable to advance eligible projects.

32 (5)(a) (~~(\$40,000,000)~~) \$31,878,000 of the regional mobility grant
33 program account--state appropriation is provided solely for the
34 regional mobility grant projects identified in LEAP Transportation
35 Document (~~(2012-1)~~) 2013-2 ALL PROJECTS - Public Transportation -
36 Program (V) as developed (~~(March 8, 2012)~~) April 23, 2013. The
37 department shall review all projects receiving grant awards under this
38 program at least semiannually to determine whether the projects are

1 making satisfactory progress. Any project that has been awarded funds,
2 but does not report activity on the project within one year of the
3 grant award, must be reviewed by the department to determine whether
4 the grant should be terminated. The department shall promptly close
5 out grants when projects have been completed, and any remaining funds
6 must be used only to fund projects identified in the LEAP
7 transportation document referenced in this subsection. The department
8 shall provide annual status reports on December 15, 2011, and December
9 15, 2012, to the office of financial management and the transportation
10 committees of the legislature regarding the projects receiving the
11 grants. It is the intent of the legislature to appropriate funds
12 through the regional mobility grant program only for projects that will
13 be completed on schedule.

14 (b) In order to be eligible to receive a grant under (a) of this
15 subsection during the 2011-2013 fiscal biennium, a transit agency must
16 establish a process for private transportation providers to apply for
17 the use of park and ride facilities. For purposes of this subsection,
18 (i) "private transportation provider" means: An auto transportation
19 company regulated under chapter 81.68 RCW; a passenger charter carrier
20 regulated under chapter 81.70 RCW, except marked or unmarked stretch
21 limousines and stretch sport utility vehicles as defined under
22 department of licensing rules; a private nonprofit transportation
23 provider regulated under chapter 81.66 RCW; or a private employer
24 transportation service provider; and (ii) "private employer
25 transportation service" means regularly scheduled, fixed-route
26 transportation service that is offered by an employer for the benefit
27 of its employees.

28 (6) \$2,309,000 of the multimodal transportation account--state
29 appropriation is provided solely for the tri-county connection service
30 for Island, Skagit, and Whatcom transit agencies.

31 (7) \$200,000 of the multimodal transportation account--state
32 appropriation is contingent on the timely development of an annual
33 report summarizing the status of public transportation systems as
34 identified under RCW 35.58.2796.

35 (8) Funds provided for the commute trip reduction program may also
36 be used for the growth and transportation efficiency center program.

37 (9) An affected urban growth area that has not previously
38 implemented a commute trip reduction program is exempt from the

1 requirements in RCW 70.94.527 if a solution to address the state
2 highway deficiency that exceeds the person hours of delay threshold has
3 been funded and is in progress during the 2011-2013 fiscal biennium.

4 (10) \$300,000 of the multimodal transportation account--state
5 appropriation is provided solely for the continuation of state support
6 for the Whatcom smart trips commute trip reduction program.

7 (11) \$818,000 of the multimodal transportation account--state
8 appropriation is provided solely for state support of the Everett
9 connector bus service.

10 (12) The department shall contact all transit agencies with a
11 nonvoting member recommended by a labor organization and request
12 information regarding the participation of board members, both voting
13 and nonvoting, for all transit agency meetings in 2012 and the three
14 previous calendar years. The department shall provide a report to the
15 transportation committees of the legislature regarding the findings of
16 this survey, which must include the transit agencies, if any, that
17 refuse to respond either in whole or in part, by January 15, 2013.

18 (13) \$250,000 of the multimodal transportation account--state
19 appropriation is provided solely for the Clark county public
20 transportation benefit area to comply with the requirements of RCW
21 81.104.110 regarding the formation of an expert review panel to provide
22 an independent technical review of any plan that relies on any voter-
23 approved local funding options.

24 (14) \$100,000 of the multimodal transportation account--state
25 appropriation is provided solely for community transit to conduct a
26 federally mandated alternatives analysis study to allow a second swift
27 line to be funded through the federal transit administration's new
28 starts or small starts process.

29 (15) \$160,000 of the motor vehicle account--federal appropriation
30 is provided solely for King county metro to study demand potential for
31 a state route number 18 and Interstate 90 park-and-ride location, to
32 size the facilities appropriately, to perform site analysis, and to
33 develop preliminary design concepts.

34 **Sec. 820.** 2012 c 86 s 221 (uncodified) is amended to read as
35 follows:

36 **FOR THE DEPARTMENT OF TRANSPORTATION--MARINE--PROGRAM X**

37 Puget Sound Ferry Operations Account--State

1 Appropriation ((~~\$468,135,000~~))
2 \$465,085,000

3 The appropriation in this section is subject to the following
4 conditions and limitations:

5 (1) The office of financial management budget instructions require
6 agencies to recast enacted budgets into activities. The Washington
7 state ferries shall include a greater level of detail in its 2011-2013
8 supplemental and 2013-2015 omnibus transportation appropriations act
9 requests, as determined jointly by the office of financial management,
10 the Washington state ferries, and the transportation committees of the
11 legislature. This level of detail must include the administrative
12 functions in the operating as well as capital programs.

13 (2) When purchasing uniforms that are required by collective
14 bargaining agreements, the department shall contract with the lowest
15 cost provider.

16 (3) Until a reservation system is operational on the San Juan
17 islands inner-island route, the department shall provide the same
18 priority loading benefits on the San Juan islands inner-island route to
19 home health care workers as are currently provided to patients
20 traveling for purposes of receiving medical treatment.

21 (4) The department shall request from the United States coast guard
22 variable minimum staffing levels on all of its vessels by December 31,
23 2011.

24 (5) The department shall continue to provide service to Sidney,
25 British Columbia and shall explore the option of purchasing a foreign
26 built vehicle and passenger ferry vessel either with safety of life at
27 sea (SOLAS) certification or the ability to be retrofitted for SOLAS
28 certification to operate solely on the Anacortes to Sidney, British
29 Columbia route currently served by vessels of the Washington state
30 ferries fleet. The vessel should have the capability of carrying at
31 least one hundred standard vehicles and approximately four hundred to
32 five hundred passengers. Further, the department shall explore the
33 possibilities of contracting a commercial company to operate the vessel
34 exclusively on this route so long as the contractor's employees
35 assigned to the vessel are represented by the same employee
36 organizations as the Washington state ferries. The department shall
37 report back to the transportation committees of the legislature
38 regarding: The availability of a vessel; the cost of the vessel,

1 including transport to the Puget Sound region; and the need for any
2 statutory changes for the operation of the Sydney, British Columbia
3 service by a private company.

4 (6) For the 2011-2013 fiscal biennium, the department of
5 transportation may enter into a distributor controlled fuel hedging
6 program and other methods of hedging approved by the fuel hedging
7 committee.

8 (7) (~~(\$136,648,000)~~) \$127,748,000 of the Puget Sound ferry
9 operations account--state appropriation is provided solely for auto
10 ferry vessel operating fuel in the 2011-2013 fiscal biennium. The
11 amount provided in this appropriation represents the fuel budget for
12 the purposes of calculating any ferry fare fuel surcharge.

13 (8) \$150,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for the department to increase
15 recreation and tourist ridership by entering into agreements for
16 marketing and outreach strategies with local economic development
17 agencies. The department shall identify the number of tourist and
18 recreation riders on the applicable ferry routes both before and after
19 implementation of marketing and outreach strategies developed through
20 the agreements. The department shall report results of the marketing
21 and outreach strategies to the transportation committees of the
22 legislature by October 15, 2012.

23 (9) The Washington state ferries shall participate in the
24 facilities plan included in section 604 (~~(of this act)~~), chapter 367,
25 Laws of 2011 and shall include an investigation and identification of
26 less costly relocation options for the Seattle headquarters office.
27 The department shall include relocation options for the Washington
28 state ferries Seattle headquarters office in the facilities plan.
29 Until September 1, 2012, the department may not enter into a lease
30 renewal for the Seattle headquarters office.

31 (10) The department, office of financial management, and
32 transportation committees of the legislature shall make recommendations
33 regarding an appropriate budget structure for the Washington state
34 ferries. The recommendation may include a potential restructuring of
35 the Washington state ferries budget. The recommendation must
36 facilitate transparency in reporting and budgeting as well as provide
37 the opportunity to link revenue sources with expenditures. Findings

1 and recommendations must be reported to the office of financial
2 management and the joint transportation committee by September 1, 2011.

3 (11) Two Kwa-di-tabil class ferry vessels must be placed on the
4 Port Townsend/Coupeville (Keystone) route to provide service at the
5 same levels provided when the steel electric vessels were in service.
6 After the vessels as funded under section 308 (5) (~~of this act~~),
7 chapter 86, Laws of 2012 are in service, the two most appropriate of
8 these vessels for the Port Townsend/Coupeville (Keystone) route must be
9 placed on the route. \$100,000 of the Puget Sound ferry operations
10 account--state appropriation is provided solely for the additional
11 staffing required to maintain a reservation system at this route when
12 the second vessel is in service.

13 (12) \$706,000 of the Puget Sound ferry operations account--state
14 appropriation is provided solely for terminal operations to implement
15 new federal passenger vessel Americans with disabilities act
16 requirements.

17 (13) \$152,000 of the Puget Sound ferry operations account--state
18 appropriation is provided solely for the department's compliance with
19 its national pollution discharge elimination system permit.

20 **Sec. 821.** 2012 c 86 s 222 (uncodified) is amended to read as
21 follows:

22 FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--OPERATING	
23 Multimodal Transportation Account--State	
24 Appropriation	((\$33,642,000))
25	<u>\$33,639,000</u>
26 Multimodal Transportation Account--Federal	
27 Appropriation	\$400,000
28 TOTAL APPROPRIATION	((\$34,042,000))
29	<u>\$34,039,000</u>

30 The appropriations in this section are subject to the following
31 conditions and limitations:

32 (1) \$27,816,000 of the multimodal transportation account--state
33 appropriation is provided solely for the Amtrak service contract and
34 Talgo maintenance contract associated with providing and maintaining
35 state-supported passenger rail service. The department is directed to
36 continue to pursue efforts to reduce costs, increase ridership, and
37 review fares or fare schedules. Within thirty days of each annual

1 cost/revenue reconciliation under the Amtrak service contract, the
2 department shall report annual credits to the office of financial
3 management and the legislative transportation committees. Annual
4 credits from Amtrak to the department including, but not limited to,
5 credits for increased revenue due to higher ridership, and fare or fare
6 schedule adjustments, must be used to offset corresponding amounts of
7 the multimodal transportation account--state appropriation, which must
8 be placed in reserve. Upon completion of the rail platform project in
9 the city of Stanwood, the department shall continue to provide daily
10 Amtrak Cascades service to the city.

11 (2) Amtrak Cascade runs may not be eliminated.

12 (3) The department shall plan for a third roundtrip Cascades train
13 between Seattle and Vancouver, B.C.

14 (4) The department shall conduct a pilot program by partnering with
15 the travel industry on the Amtrak Cascades service between Vancouver,
16 British Columbia, and Seattle to test opportunities for increasing
17 ridership, maximizing farebox recovery, and stimulating private
18 investment. The pilot program must run from July 1, 2011, to June 30,
19 2012. The department shall report on the results of the pilot program
20 to the office of financial management and the legislature by September
21 30, 2012.

22 (5) \$300,000 of the multimodal transportation account--state
23 appropriation is provided solely for the department to conduct a study
24 to examine the interconnectivity benefits of, and potential for, a
25 future Amtrak Cascades stop in the vicinity of the city of Auburn. As
26 part of its consideration, the department shall conduct a thorough
27 market analysis of the potential for adding or changing stops on the
28 Amtrak Cascades route.

29 **Sec. 822.** 2012 c 86 s 223 (uncodified) is amended to read as
30 follows:

31 **FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--**
32 **OPERATING**

33	Motor Vehicle Account--State Appropriation	((\$8,518,000))
34		<u>\$8,505,000</u>
35	Motor Vehicle Account--Federal Appropriation	\$2,567,000
36	TOTAL APPROPRIATION	((\$11,085,000))
37		<u>\$11,072,000</u>

1 The appropriations in this section are subject to the following
2 conditions and limitations: The department shall submit a report to
3 the transportation committees of the legislature by December 1, 2011,
4 on the implementation of the recommendations that resulted from the
5 evaluation of efficiencies in the delivery of transportation funding
6 and services to local governments that was required under section
7 204(8), chapter 247, Laws of 2010. The report must include a
8 description of how recommendations were implemented, what efficiencies
9 were achieved, and an explanation of any recommendations that were not
10 implemented.

11 **TRANSPORTATION AGENCIES--CAPITAL**

12 **Sec. 901.** 2012 c 86 s 302 (uncodified) is amended to read as
13 follows:

14 **FOR THE COUNTY ROAD ADMINISTRATION BOARD**

15 Motor Vehicle Account--State Appropriation	\$874,000
16 Rural Arterial Trust Account--State Appropriation	(\$62,510,000)
17	<u>\$61,470,000</u>
18 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
19 County Arterial Preservation Account--State	
20 Appropriation	\$29,360,000
21 TOTAL APPROPRIATION	(\$92,744,000)
22	<u>\$95,204,000</u>

23 The appropriations in this section are subject to the following
24 conditions and limitations:

25 (1) \$874,000 of the motor vehicle account--state appropriation may
26 be used for county ferry projects as developed pursuant to RCW
27 47.56.725(4).

28 (2) ~~(\$62,510,000)~~ \$61,470,000 of the rural arterial trust
29 account--state appropriation is provided solely for county road
30 preservation grant projects as approved by the county road
31 administration board. These funds may be used to assist counties
32 recovering from federally declared emergencies by providing
33 capitalization advances and local match for federal emergency funding,
34 and may only be made using existing fund balances. It is the intent of
35 the legislature that the rural arterial trust account be managed based

1 on cash flow. The county road administration board shall specifically
2 identify any of the selected projects and shall include information
3 concerning the selected projects in its next annual report to the
4 legislature.

5 **Sec. 902.** 2012 c 86 s 303 (uncodified) is amended to read as
6 follows:

7 **FOR THE TRANSPORTATION IMPROVEMENT BOARD**

8 Small City Pavement and Sidewalk Account--State	
9 Appropriation	\$5,270,000
10 Transportation Improvement Account--State	
11 Appropriation	((\$237,545,000))
	<u>\$213,152,000</u>
13 <u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
14 TOTAL APPROPRIATION	((\$242,815,000))
	<u>\$221,922,000</u>

16 ((The appropriations in this section are subject to the following
17 conditions — and — limitations:— The — transportation — improvement
18 account—state—appropriation—includes—up—to—\$22,143,000—in—proceeds
19 from—the—sale—of—bonds—authorized—in—RCW—47.26.500.))

20 ***Sec. 903.** 2012 c 86 s 305 (uncodified) is amended to read as
21 follows:

22 **FOR THE DEPARTMENT OF TRANSPORTATION--IMPROVEMENTS--PROGRAM I**

23 **Transportation Partnership Account--State**

24 Appropriation	((\$1,636,316,000))
	<u>\$1,149,062,000</u>
26 Motor Vehicle Account--State Appropriation	((\$103,889,000))
	<u>\$63,790,000</u>
28 Motor Vehicle Account--Federal Appropriation	((\$790,703,000))
	<u>\$806,907,000</u>
30 Motor Vehicle Account--Private/Local	
31 Appropriation	((\$124,917,000))
	<u>\$84,830,000</u>
33 Transportation 2003 Account (Nickel Account)--State	
34 Appropriation	((\$416,125,000))
	<u>\$346,873,000</u>
36 State Route Number 520 Corridor Account--State	

1	Appropriation	((\$1,752,138,000))
2		<u>\$995,741,000</u>
3	((Special Category C Account--State Appropriation	\$124,000
4	Tacoma Narrows Toll Bridge Account--State	
5	Appropriation	\$5,791,000))
6	<u>State Route Number 520 Corridor Account--Federal</u>	
7	<u>Appropriation</u>	<u>\$300,000,000</u>
8	<u>Multimodal Transportation Account--State Appropriation</u>	<u>\$303,000</u>
9	TOTAL APPROPRIATION	((\$4,830,003,000))
10		<u>\$3,747,506,000</u>

11 The appropriations in this section are subject to the following
12 conditions and limitations:

13 ***(1) Except as provided otherwise in this section, the entire***
14 ***transportation 2003 account (nickel account) appropriation and the***
15 ***entire transportation partnership account appropriation are provided***
16 ***solely for the projects and activities as listed by fund, project, and***
17 ***amount in LEAP Transportation Document ((2012-2)) 2013-1 as developed***
18 ***((~~March 8, 2012~~) April 23, 2013, Program - Highway Improvement Program***
19 ***(I). However, limited transfers of specific line-item project***
20 ***appropriations may occur between projects for those amounts listed***
21 ***subject to the conditions and limitations in section 603, chapter***
22 ***. . . , Laws of 2013 (section 603 of this act).***

23 (2) Within the motor vehicle account--state appropriation and
24 motor vehicle account--federal appropriation, the department may
25 transfer funds between programs I and P, except for funds that are
26 otherwise restricted in this act.

27 (3) The department shall apply for surface transportation program
28 enhancement funds to be expended in lieu of or in addition to state
29 funds for eligible costs of projects in programs I and P including, but
30 not limited to, the state route number 518, state route number 520,
31 Columbia river crossing, and Alaskan Way viaduct projects.

32 (4) The department shall apply for the competitive portion of
33 federal transit administration funds for eligible transit-related costs
34 of the state route number 520 bridge replacement and HOV project and
35 the Columbia river crossing project. The federal funds described in
36 this subsection must not include those federal transit administration
37 funds distributed by formula. The department shall provide a report
38 regarding this effort to the legislature by October 1, 2011.

1 (5) The department shall work with the department of archaeology
2 and historic preservation to ensure that the cultural resources
3 investigation is properly conducted on all mega-highway projects and
4 large ferry terminal projects. These projects must be conducted with
5 active archaeological management. Additionally, the department shall
6 establish a scientific peer review of independent archaeologists that
7 are knowledgeable about the region and its cultural resources.

8 (6) For highway construction projects where the department
9 considers agricultural lands of long-term commercial significance, as
10 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
11 environmental mitigation requirements under the national environmental
12 policy act (42 U.S.C. Sec. 4321 et seq.) and the state environmental
13 policy act (chapter 43.21C RCW), the department shall, to the greatest
14 extent possible, consider using public land first. If public lands are
15 not available that meet the required environmental mitigation needs,
16 the department may use other sites while making every effort to avoid
17 any net loss of agricultural lands that have a designation of long-term
18 commercial significance.

19 (7) (~~(\$561,000)~~) \$665,000 of the transportation partnership
20 account--state appropriation and (~~(\$1,176,000)~~) \$954,000 of the
21 transportation 2003 account (nickel account)--state appropriation are
22 provided solely for project OBI4ENV, Environmental Mitigation Reserve -
23 Nickel/TPA project, as indicated in the LEAP transportation document
24 referenced in subsection (1) of this section. Funds may be used only
25 for environmental mitigation work that is required by permits that were
26 issued for projects funded by the transportation partnership account or
27 transportation 2003 account (nickel account).

28 (8) The transportation 2003 account (nickel account)--state
29 appropriation includes up to (~~(\$339,608,000)~~) \$308,996,000 in proceeds
30 from the sale of bonds authorized by RCW 47.10.861.

31 (9) The transportation partnership account--state appropriation
32 includes up to (~~(\$972,392,000)~~) \$734,097,000 in proceeds from the sale
33 of bonds authorized in RCW 47.10.873.

34 (10) The motor vehicle account--state appropriation includes up to
35 (~~(\$55,870,000)~~) \$5,000,000 in proceeds from the sale of bonds
36 authorized in RCW 47.10.843.

37 (11) The state route number 520 corridor account--state
38 appropriation includes up to (~~(\$1,779,000,000)~~) \$990,801,000 and the

1 state route number 520 corridor account--federal appropriation includes
2 up to \$300,000,000 in proceeds from the sale of bonds authorized in RCW
3 47.10.879. Of the amounts appropriated in this subsection,
4 \$300,000,000 of the state route number 520 corridor account--federal
5 appropriation must be put into unallotted status and is subject to
6 review by the office of financial management. The director of
7 financial management shall consult with the joint transportation
8 committee prior to making a decision to allot these funds.

9 (12) (~~(\$767,000)~~) \$692,000 of the motor vehicle account--state
10 appropriation and (~~(\$3,736,000)~~) \$3,002,000 of the motor vehicle
11 account--federal appropriation are provided solely for the US 2 High
12 Priority Safety project (100224I). Expenditure of these funds is for
13 safety projects on state route number 2 between Monroe and Gold Bar,
14 which may include median rumble strips, traffic cameras, and electronic
15 message signs.

16 (13) (~~(\$820,000)~~) \$819,900 of the motor vehicle account--federal
17 appropriation, (~~(\$16,308,000)~~) \$6,226,000 of the motor vehicle
18 account--private/local appropriation, and (~~(\$48,000)~~) \$344,000 of the
19 motor vehicle account--state appropriation are provided solely for the
20 US 2/Bickford Avenue - Intersection Safety Improvements project
21 (100210E).

22 (14) \$1,025,000 of the motor vehicle account--state appropriation
23 is provided solely for environmental work on the Belfair Bypass project
24 (300344C).

25 (15) (~~(\$372,000)~~) \$360,000 of the motor vehicle account--federal
26 appropriation and (~~(\$9,000)~~) \$49,000 of the motor vehicle account--
27 state appropriation are provided solely for the I-5/Vicinity of Joint
28 Base Lewis-McChord - Install Ramp Meters project (300596M).

29 (16) (~~(\$202,863,000)~~) \$102,588,000 of the transportation
30 partnership account--state appropriation (~~(and — \$51,138,000)~~),
31 \$43,847,000 of the transportation 2003 account (nickel account)--state
32 appropriation, \$12,000 of the motor vehicle account--federal
33 appropriation, and \$68,000 of the motor vehicle account--private/local
34 appropriation are provided solely for the I-5/Tacoma HOV Improvements
35 (Nickel/TPA) project (300504A). The use of funds in this subsection to
36 renovate any buildings is subject to the requirements of section 604
37 (~~(of this act)~~), chapter 367, Laws of 2011. The department shall

1 report to the legislature and the office of financial management on any
2 costs associated with building renovations funded in this subsection.

3 (17)(a) \$7,423,000 of the transportation partnership account--state
4 appropriation and (~~(\$54,461,000)~~) \$50,332,000 of the motor vehicle
5 account--federal appropriation are provided solely for the I-5/Columbia
6 River Crossing project (400506A). (~~(Of the amounts appropriated in
7 this subsection, \$15,000,000 of the motor vehicle account federal
8 appropriation must be put into unallotted status and is subject to the
9 review of the office of financial management. This funding may only be
10 allotted once the state of Oregon's total contribution of shared
11 expenses on the project are within five million dollars of the state of
12 Washington's shared expenses.)~~)

13 (b) It is the intent of the legislature that Washington and Oregon
14 have equal funding commitments and equal total expenditures to date on
15 the shared components of the Columbia river crossing project. The
16 department shall provide a quarterly report on this project beginning
17 March 31, 2012. This report must include:

18 (i) An update on preliminary engineering and right-of-way
19 acquisition for the previous quarter;

20 (ii) Planned objectives for right-of-way and preliminary
21 engineering for the ensuing quarter;

22 (iii) An updated comparison of the total appropriation authority
23 for the project by state;

24 (iv) An updated comparison of the total expenditures to date on the
25 project by state; and

26 (v) The committed funding provided by the state of Oregon to right-
27 of-way acquisition.

28 (c) \$200,000 of the transportation partnership account--state
29 appropriation in this subsection is provided solely for the department
30 to work with the department of archaeology and historic preservation to
31 ensure that the cultural resources investigation is properly conducted
32 on the Columbia river crossing project. This project must be conducted
33 with active archaeological management and result in one report that
34 spans the single cultural area in Oregon and Washington. Additionally,
35 the department shall establish a scientific peer review of independent
36 archaeologists that are knowledgeable about the region and its cultural
37 resources.

1 (d) Consistent with the draft environmental impact statement and
2 the Columbia river crossing project's independent review panel report,
3 the Columbia river crossing project's financial plan must include
4 recognition of state transportation funding contributions from both
5 Washington and Oregon, federal transportation funding, and a funding
6 contribution from toll bond proceeds. Following the refinement of the
7 finance plan as recommended by the independent review panel, the
8 department may seek authorization from the legislature to collect tolls
9 on the existing Columbia river crossing or on a replacement crossing
10 over Interstate 5.

11 (e) The Washington state department of transportation budget
12 includes resources to continue work on solutions that advance the
13 Columbia river crossing project to completion of the required
14 environmental impact statement. The department must report to the
15 Columbia river crossing legislative oversight subcommittee of the joint
16 transportation committee, established in section 204(7) (~~of this~~
17 ~~act~~), chapter 86, Laws of 2012, on the progress made on the Columbia
18 river crossing project at each meeting of the oversight subcommittee.
19 Reporting must include updated information on cost estimates, rights-
20 of-way purchases and procurement schedules, and financing plans for the
21 Columbia river crossing project, including projected traffic volumes,
22 fuel and gas price assumptions, toll rates, costs of toll collections,
23 as well as potential need for general transportation funding. By
24 January 1, 2013, the department shall provide to the oversight
25 subcommittee of the joint transportation committee a phased master plan
26 for the Columbia river crossing project.

27 (18) Within the amounts provided for the Columbia river crossing
28 project (400506A), the department shall conduct a traffic and revenue
29 analysis for the Columbia river crossing project that will lay the
30 foundation for investment grade traffic and revenue analysis. While
31 conducting the analysis, the department must coordinate with the Oregon
32 department of transportation, the Washington state transportation
33 commission, (~~and the Washington state legislative oversight~~
34 ~~committee~~) the Washington state treasurer's office, and the Oregon
35 state treasurer's office.

36 (a) The department's analysis must include the assessment and
37 review of the following variables within the project:

38 (i) Exemptions from tolls for vehicles with two or more occupants;

1 (ii) A variable toll where the tolls vary by time of day and day of
2 the week; and
3 (iii) A frequency-based toll rate for the facility.
4 (b) The analysis must also assess the following:
5 (i) The impact that light rail service in the corridor will have on
6 estimated toll revenues;
7 (ii) The level of diversion from the Interstate 5 corridor and the
8 impact on estimated toll revenues; and
9 (iii) The estimated toll revenues from vehicle trips originating
10 within the region and outside the region by vehicle type.
11 (c) The department must submit a report of findings to the
12 transportation committees of the legislature by July 1, 2013.
13 (19) (~~(\$309,000)~~) \$91,000 of the motor vehicle account--federal
14 appropriation and (~~(\$78,000)~~) \$24,000 of the motor vehicle account--
15 state appropriation are provided solely for the SR 9/SR 204
16 Intersection Improvement project (L2000040).
17 (20) (~~(\$3,385,000)~~) \$980,000 of the motor vehicle account--federal
18 appropriation and (~~(\$50,000)~~) \$51,000 of the motor vehicle account--
19 state appropriation are provided solely for the US 12/Nine Mile Hill to
20 Woodward Canyon Vic - Build New Highway project (501210T).
21 (~~(\$5,791,000 of the Tacoma Narrows toll bridge account--state~~
22 ~~appropriation is provided solely for deferred sales tax expenses on the~~
23 ~~construction of the new Tacoma Narrows bridge. However, if chapter~~
24 ~~... (Senate Bill No. 6073), Laws of 2012 (sales tax exemption on SR~~
25 ~~16 projects) is enacted by June 30, 2012, the amount provided in this~~
26 ~~subsection lapses.~~
27 (~~(22) - \$391,000~~) \$226,000 of the motor vehicle account--federal
28 appropriation and (~~(\$16,000)~~) \$19,000 of the motor vehicle account--
29 state appropriation are provided solely for the SR 16/Rosedale Street
30 NW Vicinity - Frontage Road project (301639C). The frontage road must
31 be built for driving speeds of no more than thirty-five miles per hour.
32 (~~(23) - \$621,000~~) (22) \$663,000 of the motor vehicle account--
33 federal appropriation (~~(is)~~) and \$12,000 of the motor vehicle account--
34 state appropriation are provided solely for the SR 20/Race Road to
35 Jacob's Road safety project (L2200042).
36 (~~(24) - \$32,162,000~~) (23) \$15,746,000 of the transportation
37 partnership account--state appropriation (~~(is)~~) and \$122,000 of the

1 motor vehicle account--private/local appropriation are provided solely
2 for the SR 28/ US 2 and US 97 Eastmont Avenue Extension project
3 (202800D).

4 ~~((25) \$1,227,000))~~ (24) \$705,000 of the motor vehicle account--
5 federal appropriation and ~~((38,000))~~ \$165,000 of the motor vehicle
6 account--state appropriation are provided solely for design and right-
7 of-way work on the I-82/Red Mountain Vicinity project (508208M). The
8 department shall continue to work with the local partners in developing
9 transportation solutions necessary for the economic growth in the Red
10 Mountain American viticulture area of Benton county.

11 ~~((26) \$1,500,000))~~ (25) \$3,000,000 of the motor vehicle account--
12 federal appropriation ~~((is))~~ and \$120,000 of the motor vehicle
13 account--state appropriation are provided solely for the I-90
14 Comprehensive Tolling Study and Environmental Review project (100067T).
15 The department shall undertake a comprehensive environmental review of
16 tolling Interstate 90 between Interstate 5 and Interstate 405 for the
17 purposes of both managing traffic and providing funding for
18 construction of the unfunded state route number 520 from Interstate 5
19 to Medina project. The environmental review must include significant
20 outreach to potentially affected communities. The department may
21 consider traffic management options that extend as far east as
22 Issaquah.

23 ~~((27))~~ (26) \$12,149,000 of the motor vehicle account--federal
24 appropriation ~~((and))~~ \$362,000 of the motor vehicle account--state
25 appropriation, and \$50,000 of the motor vehicle account--private/local
26 appropriation are provided solely for the I-90/Sullivan Road to Barker
27 Road - Additional Lanes project (609049N).

28 ~~((28))~~ (27) Up to \$8,000,000 in savings realized on the I-
29 90/Snoqualmie Pass East - Hyak to Keechelus Dam - Corridor project
30 (509009B) may be used for design work on the next two-mile segment of
31 the corridor. Any additional savings on this project must remain on
32 the corridor. Project funds may not be used to build or improve
33 buildings until the plan described in section 604 ~~((of this act))~~,
34 chapter 367, Laws of 2011 is complete.

35 ~~((29) \$657,000))~~ (28) \$637,000 of the motor vehicle account--
36 federal appropriation ~~((is))~~ and \$15,000 of the motor vehicle account--
37 state appropriation are provided solely for the US 97A/North of
38 Wenatchee - Wildlife Fence project (209790B).

1 (~~(30)~~) (29) The department shall reconvene an expert review panel
2 of no more than three members as described under RCW 47.01.400 for the
3 purpose of updating the work that was previously completed by the panel
4 on the Alaskan Way viaduct replacement project and to ensure that an
5 appropriate and viable financial plan is created and regularly
6 reviewed. The expert review panel must be selected cooperatively by
7 the chairs of the senate and house of representatives transportation
8 committees, the secretary of transportation, and the governor. The
9 expert review panel must report findings and recommendations to the
10 transportation committees of the legislature, the governor's Alaskan
11 Way viaduct project oversight committee, and the transportation
12 commission by October 2011, and annually thereafter until the project
13 is operationally complete.

14 (~~(31)~~) (30) It is important that the public and policymakers have
15 accurate and timely access to information related to the Alaskan Way
16 viaduct replacement project as it proceeds to, and during, the
17 construction of all aspects of the project including, but not limited
18 to, information regarding costs, schedules, contracts, project status,
19 and neighborhood impacts. Therefore, it is the intent of the
20 legislature that the state, city, and county departments of
21 transportation establish a single source of accountability for
22 integration, coordination, tracking, and information of all requisite
23 components of the replacement project, which must include, at a
24 minimum:

25 (a) A master schedule of all subprojects included in the full
26 replacement project or program; and

27 (b) A single point of contact for the public, media, stakeholders,
28 and other interested parties.

29 (~~(32)~~) (31) Within the amounts provided in this section,
30 (~~(\$20,000)~~) \$42,000 of the motor vehicle account--state appropriation
31 and (~~(\$980,000)~~) \$958,000 of the motor vehicle account--federal
32 appropriation are provided solely for the department to continue work
33 on a comprehensive tolling study of the state route number 167 corridor
34 (project 316718S). As funding allows, the department shall also
35 continue work on a comprehensive tolling study of the state route
36 number 509 corridor.

37 (~~(33)~~) (32)(a) (~~(\$137,022,000)~~) \$70,663,000 of the transportation
38 partnership account--state appropriation and (~~(\$50,623,000)~~)

1 \$38,613,000 of the transportation 2003 account (nickel account)--state
2 appropriation are provided solely for the I-405/Kirkland Vicinity Stage
3 2 - Widening project (8BI1002). This project must be completed as soon
4 as practicable as a design-build project and must be constructed with
5 a footprint that would accommodate potential future express toll lanes.

6 (b) As part of the project, the department shall conduct a traffic
7 and revenue analysis and complete a financial plan to provide
8 additional information on the revenues, expenditures, and financing
9 options available for active traffic management and congestion relief
10 in the Interstate 405 and state route number 167 corridors. A report
11 must be provided to the transportation committees of the legislature
12 and the office of financial management by January 2012. However, this
13 subsection ~~((+33+))~~ (32)(b) is null and void if chapter . . .
14 (Engrossed House Bill No. 1382), Laws of 2011 (I-405 express toll
15 lanes) is enacted by June 30, 2011.

16 (c) ~~((Of the amount appropriated in (a) of this subsection,~~
17 ~~\$15,000,000 of the transportation partnership account state~~
18 ~~appropriation is provided solely for the preliminary design and~~
19 ~~purchase of rights of way on the state route number 167 direct~~
20 ~~connector. It is the intent of the legislature to fund an additional~~
21 ~~\$25,000,000 of the transportation partnership account state~~
22 ~~appropriation for the preliminary design and purchase of rights of way~~
23 ~~on the state route number 167 direct connector during the 2013-2015~~
24 ~~biennium.~~

25 ~~(d+))~~ Within the amounts provided for this project, funding is
26 provided solely for tolling equipment, such as gantries, barriers, or
27 cameras, on Interstate 405, consistent with chapter 369, Laws of 2011.
28 The department shall place amounts for tolling equipment into
29 unallotted status until the traffic and revenue analysis required in
30 RCW 47.56.886 is submitted to the governor and the legislature. Once
31 the report has been submitted, the office of financial management may
32 approve the allotment of funds for tolling equipment only after
33 consultation with the joint transportation committee.

34 ~~((+34+))~~ (33) Funding for a signal at state route number 507 and
35 Yew Street is included in the appropriation for intersection and spot
36 improvements (0BI2002).

37 (34) \$3,392,000 of the transportation partnership account--state

1 appropriation is provided solely for the preliminary design and
2 purchase of rights-of-way on the state route number 167 direct
3 connector (140504C).

4 (35) (~~(\$224,592,000)~~) \$52,078,000 of the transportation partnership
5 account--state appropriation (~~(and \$898,286,000)~~), \$902,101,000 of the
6 state route number 520 corridor account--state appropriation,
7 \$17,155,000 of the motor vehicle account--federal appropriation, and
8 \$1,303,000 of the motor vehicle account--private/local appropriation
9 are provided solely for the state route number 520 bridge replacement
10 and HOV program (8BI1003). When developing the financial plan for the
11 program, the department shall assume that all maintenance and operation
12 costs for the new facility are to be covered by tolls collected on the
13 toll facility, and not by the motor vehicle account.

14 (36) \$500,000 of the motor vehicle account--state appropriation is
15 provided solely for a multimodal corridor plan on state route number
16 520 between Interstate 405 and Avondale Road in Redmond (L1000054).

17 (37) \$300,000 of the motor vehicle account--federal appropriation
18 (~~(is)~~) and \$13,000 of the motor vehicle account--state appropriation
19 are provided solely for the SR 523 Corridor study (L1000059).

20 (38) The department shall consider using the city of Mukilteo's
21 off-site mitigation program in the event any projects on state route
22 number 525 or 526 require environmental mitigation.

23 (39) Any savings on projects on the state route number 532 corridor
24 must be used within the corridor to begin work on flood prevention and
25 raising portions of the highway above flood and storm influences.

26 (40) The total appropriation provided in this section assumes
27 enactment of chapter . . . (Second Substitute Senate Bill No. 5250),
28 Laws of 2012 (design-build procedures) and reflects efficiencies and
29 cost savings generated by this innovative design and contracting tool.

30 (41) Construction of a new traffic management center may not
31 commence until the budget evaluation study in section 102(1) (~~(of this~~
32 ~~act)~~), chapter 86, Laws of 2012 is complete and the office of financial
33 management has determined that a new traffic management center is the
34 preferred option and has approved this project.

35 (42) The department shall itemize all future requests for the
36 construction of new buildings on a project list. Each building
37 construction project must be listed in the project list along with all
38 other highway construction projects and submitted by the department as

1 part of its budget submittal. It is the intent of the legislature that
2 new facility construction must be transparent and not appropriated
3 within larger highway construction projects.

4 (43) (~~(\$250,000)~~) \$240,000 of the motor vehicle account--federal
5 appropriation (~~(is)~~) and \$10,000 of the motor vehicle account--state
6 appropriation are provided solely for planning a proposed off-ramp
7 eastbound from state route number 518 to Des Moines Memorial Drive in
8 Burien (L1100045).

9 (44) (~~(\$1,100,000)~~) \$425,000 of the motor vehicle account--federal
10 appropriation (~~(is)~~) and \$18,000 of the motor vehicle account--state
11 appropriation are provided solely for preliminary engineering on the I-
12 5/Marvin Road Interchange study (L2200087).

13 (45) (~~(\$400,000)~~) \$389,000 of the motor vehicle account--federal
14 appropriation (~~(is)~~) and \$22,000 of the motor vehicle account--state
15 appropriation are provided solely for the SR 150/No-See-Um Road
16 Intersection - Realignment project (L2200092).

17 (46) \$750,000 of the motor vehicle account--federal appropriation
18 (~~(is)~~) and \$31,000 of the motor vehicle account--state appropriation
19 are provided solely for (~~(preliminary engineering on)~~) the SR
20 305/Suquamish Way Intersection Improvements project (L2200093).

21 (47) (~~(\$700,000)~~) \$658,000 of the motor vehicle account--federal
22 appropriation (~~(is)~~) and \$16,000 of the motor vehicle account--state
23 appropriation are provided solely for the US 395/Lind Road Intersection
24 project (L2200086).

25 (48) \$7,398,000 of the motor vehicle account--state appropriation
26 is provided solely to advance the design, preliminary engineering, and
27 rights-of-way acquisition for the priority projects identified in LEAP
28 Transportation Document 2013-3 as developed April 23, 2013. Funds must
29 be used to advance the emergent, initial development of these projects
30 for the purpose of expediting delivery of the associated major
31 investments when funding for such investments becomes available.
32 Funding may be reallocated between projects to maximize the
33 accomplishment of design and preliminary engineering work and rights-
34 of-way acquisition, provided that all projects are addressed. It is
35 the intent of the legislature that, while seeking to maximize the
36 outcomes in this section, the department shall provide for continuity
37 of both the state and consulting engineer workforce, while

1 strategically utilizing private sector involvement to ensure
2 consistency with the department's business plan for staffing in the
3 highway construction program in the current and next fiscal biennium.
*Sec. 903 was partially vetoed. See message at end of chapter.

4 *Sec. 904. 2012 c 86 s 306 (uncodified) is amended to read as
5 follows:

6 **FOR THE DEPARTMENT OF TRANSPORTATION--PRESERVATION--PROGRAM P**
7 **Transportation Partnership Account--State**

8	Appropriation	((<u>\$44,463,000</u>))
9		<u>\$23,488,000</u>
10	Motor Vehicle Account--State Appropriation	((<u>\$81,741,000</u>))
11		<u>\$78,112,000</u>
12	Motor Vehicle Account--Federal Appropriation	((<u>\$540,306,000</u>))
13		<u>\$469,626,000</u>
14	Motor Vehicle Account--Private/Local	
15	Appropriation	((<u>\$21,585,000</u>))
16		<u>\$18,892,000</u>
17	Tacoma Narrows Toll Bridge Account--State	
18	Appropriation	\$259,000
19	((Transportation 2003 Account (Nickel Account) State	
20	 Appropriation	\$23,000))
21	<u>Highway Safety Account--State Appropriation</u>	<u>\$3,500,000</u>
22	TOTAL APPROPRIATION	((<u>\$691,877,000</u>))
23		<u>\$593,877,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations:

26 (1) **Except as provided otherwise in this section, the entire**
27 **transportation 2003 account (nickel account) appropriation and the**
28 **entire transportation partnership account appropriation are provided**
29 **solely for the projects and activities as listed by fund, project, and**
30 **amount in LEAP Transportation Document ((2012-2)) 2013-1 as developed**
31 **((March 8, 2012)) April 23, 2013, Program - Highway Preservation**
32 **Program (P). However, limited transfers of specific line-item project**
33 **appropriations may occur between projects for those amounts listed**
34 **subject to the conditions and limitations in section 603, chapter**
35 **. . . , Laws of 2013 (section 603 of this act).**

36 (2) The department of transportation shall continue to implement
37 the lowest life-cycle cost planning approach to pavement management

1 throughout the state to encourage the most effective and efficient use
2 of pavement preservation funds. Emphasis should be placed on
3 increasing the number of roads addressed on time and reducing the
4 number of roads past due.

5 (3) Within the motor vehicle account--state appropriation and motor
6 vehicle account--federal appropriation, the department may transfer
7 funds between programs I and P, except for funds that are otherwise
8 restricted in this act.

9 (4) The department shall apply for surface transportation program
10 enhancement funds to be expended in lieu of or in addition to state
11 funds for eligible costs of projects in programs I and P.

12 ~~((The motor vehicle account--state appropriation includes up to
13 \$17,652,000 in proceeds from the sale of bonds authorized in RCW
14 47.10.843.~~

15 ~~(6))~~ The department must work with cities and counties to develop
16 a comparison of direct and indirect labor costs, overhead rates, and
17 other costs for high-cost bridge inspections charged by the state,
18 counties, and other entities. The comparison is due to the
19 transportation committees of the legislature on September 1, 2011.

20 ~~((7) \$789,000))~~ (6) \$739,000 of the motor vehicle account--federal
21 appropriation and ~~((6,000))~~ \$56,000 of the motor vehicle account--
22 state appropriation are provided solely for the environmental impact
23 statement and preliminary planning for the replacement of the state
24 route number 9 Snohomish river bridge (project L2000018).

25 ~~((8) \$10,843,000))~~ (7) \$9,096,000 of the motor vehicle account--
26 federal appropriation, ~~((1,992,000))~~ \$1,794,000 of the motor vehicle
27 account--private/local appropriation, and ~~((390,000))~~ \$340,000 of the
28 motor vehicle account--state appropriation are provided solely for the
29 SR 21/Keller Ferry - Replace Boat project (602110J).

30 ~~((9) \$165,000))~~ (8) \$227,000 of the motor vehicle account--federal
31 appropriation ~~((is))~~ and \$13,000 of the motor vehicle account--state
32 appropriation are provided solely for the I-90/Ritzville to Tokio -
33 Paving of Outside Lanes project (609041G).

34 ~~((10) \$5,565,000))~~ (9) \$1,566,000 of the motor vehicle account--
35 federal appropriation and ~~((232,000))~~ \$124,000 of the motor vehicle
36 account--state appropriation are provided solely for the SR
37 167/Puyallup River Bridge Replacement project (316725A). This project
38 must be completed as a design-build project. The department must work

1 with local jurisdictions and the community during the environmental
2 review process to develop appropriate esthetic design elements, at no
3 additional cost to the department, and traffic management plans
4 pertaining to this project. The department must report to the
5 transportation committees of the legislature on estimated cost and/or
6 time savings realized as a result of using the design-build process.

7 ((~~(11)~~-\$507,000)) (10) \$649,000 of the motor vehicle account--
8 federal appropriation and (~~(\$13,000)~~) \$15,000 of the motor vehicle
9 account--state appropriation are provided solely for the SR
10 906/Travelers Rest - Building Renovation project (090600A).

11 ~~((12) The department shall submit a renewal and rehabilitation
12 plan for the new state route number 16 Tacoma Narrows bridge as a
13 decision package as part of its 2013-2015 biennial budget submittal.)~~
**Sec. 904 was partially vetoed. See message at end of chapter.*

14 **Sec. 905.** 2012 c 86 s 307 (uncodified) is amended to read as
15 follows:

16 **FOR THE DEPARTMENT OF TRANSPORTATION--TRAFFIC OPERATIONS--PROGRAM Q--**
17 **CAPITAL**

18	Motor Vehicle Account--State Appropriation	((\$8,779,000))
19		<u>\$8,801,000</u>
20	Motor Vehicle Account--Federal Appropriation	((\$7,283,000))
21		<u>\$7,184,000</u>
22	TOTAL APPROPRIATION	((\$16,062,000))
23		<u>\$15,985,000</u>

24 The appropriations in this section are subject to the following
25 conditions and limitations: (~~(\$1,000,000)~~) \$371,000 of the motor
26 vehicle account--state appropriation for project 000005Q is provided
27 solely for state matching funds for federally selected competitive
28 grants or congressional earmark projects. These moneys must be placed
29 into reserve status until such time as federal funds are secured that
30 require a state match.

31 ***Sec. 906.** 2012 c 86 s 308 (uncodified) is amended to read as
32 follows:

33 **FOR THE DEPARTMENT OF TRANSPORTATION--WASHINGTON STATE FERRIES**
34 **CONSTRUCTION--PROGRAM W**

35 Puget Sound Capital Construction Account--State
36 Appropriation ((~~\$61,965,000~~))

1 acquisition of new Kwa-di-tabil class ferry vessels (project 944470A)
2 subject to the conditions of RCW 47.56.780.

3 (6) \$25,404,000 of the multimodal transportation account--state
4 appropriation, \$1,000,000 of the Puget Sound capital construction
5 account--federal appropriation, \$11,500,000 of the transportation
6 partnership account--state appropriation, and (~~(\$85,924,000)~~)
7 \$54,616,000 of the transportation 2003 account (nickel account)--state
8 appropriation are provided solely for the acquisition of one 144-car
9 vessel (project L2200038). The department shall use as much already
10 procured equipment as practicable on the 144-car vessel. The vendor
11 must present to the joint transportation committee and the office of
12 financial management, by August 15, 2011, a list of options that will
13 result in significant cost savings changes in terms of construction or
14 the long-term maintenance and operations of the vessel. The vendor
15 must allow for exercising the options without a penalty. If neither
16 chapter ... (Engrossed Substitute Senate Bill No. 5742), Laws of 2011
17 nor chapter ... (House Bill No. 2083), Laws of 2011 is enacted by June
18 30, 2011, \$75,000,000 of the transportation 2003 account (nickel
19 account)--state appropriation in this subsection lapses.

20 (7) \$5,749,000 of the total appropriation is provided solely for
21 continued permitting work on the Mukilteo ferry terminal (project
22 952515P). The department shall seek additional federal funding for
23 this project. Prior to beginning terminal improvements, the department
24 shall report to the legislature on the final environmental impact
25 statement by December 31, 2012. The report must include an overview of
26 the costs and benefits of each of the alternatives considered, as well
27 as an identification of costs and a funding plan for the preferred
28 alternative.

29 (8) The department shall review all terminal project cost estimates
30 to identify projects where similar design requirements could result in
31 reduced preliminary engineering or miscellaneous items costs. The
32 department shall report to the legislature by September 1, 2011. The
33 report must use programmatic design and include estimated cost savings
34 by reducing repetitive design costs or miscellaneous costs, or both,
35 applied to projects.

36 (9) (~~(\$3,000,000)~~) \$6,000,000 of the Puget Sound capital
37 construction account--state appropriation is provided solely for

1 emergency capital repair costs (project 999910K). Funds may be spent
2 only after approval from the office of financial management.

3 (10) \$4,851,000 of the Puget Sound capital construction account--
4 state appropriation is provided solely for the reservation and
5 communications system projects (L200041 & L200042).

6 (11) \$1,000,000 of the Puget Sound capital construction account--
7 state appropriation is provided solely for security and operational
8 planning as a first step in introducing liquid natural gas (LNG) to the
9 Washington ferry fleet, including the issuance of a request for
10 proposals (RFP). \$750,000 is provided solely for the department to
11 work with appropriate agencies of the state and federal government to
12 amend the state's current alternative security plan to account for the
13 use of LNG as a propulsion fuel in the ferry fleet, and to begin public
14 outreach efforts. \$250,000 is provided solely to issue an RFP for a
15 design-build contract to fully convert the existing diesel powered
16 Issaquah class fleet to be solely powered by LNG. The successful
17 bidder must be awarded the \$250,000 appropriation and must be able to
18 offer detailed design services, attain coast guard approval regarding
19 vessel safety and any other requirements pertaining to design, acquire
20 engines with LNG as a sole fuel source, provide public outreach and
21 education regarding the conversion of ferry vessels to LNG, perform all
22 conversion work, and supply dependable and suitable quantities of LNG.
23 The RFP must include incentives for proposals that include alternative
24 financing arrangements, such as a delayed payment plan based on fuel
25 savings. To the extent allowable under current law, the bidder awarded
26 the design-build contract for converting the Issaquah fleet to LNG
27 under this subsection must be given bidding preferences in any future
28 LNG-related ferry proposals or projects. The RFP referenced in this
29 subsection must be issued by the department by August 1, 2012. The
30 department must provide a report to the joint transportation committee
31 on the development of the RFP in July 2012 and an update report again
32 in September 2012.

33 (12) (~~(\$500,000)~~) \$1,200,000 of the Puget Sound capital
34 construction account--state appropriation is provided solely for the
35 ADA visual paging project (L2200083). If any new federal grants are
36 received by the department that may supplant the state funds in this
37 appropriation, the state funds in this appropriation must be placed in
38 unallotted status.

1 (13) Consistent with RCW 47.60.662, which requires the Washington
2 state ferry system to collaborate with passenger-only ferry and transit
3 providers to provide service at existing terminals, the department
4 shall ensure that multimodal access, including for passenger-only
5 ferries and transit service providers, is not precluded by any future
6 modifications at the terminal.

7 (14) The appropriation in this section includes up to \$47,759,000
8 in proceeds from the sale of bonds authorized in RCW 47.10.861.
**Sec. 906 was partially vetoed. See message at end of chapter.*

9 **Sec. 907.** 2012 c 86 s 309 (uncodified) is amended to read as
10 follows:

11 **FOR THE DEPARTMENT OF TRANSPORTATION--RAIL--PROGRAM Y--CAPITAL**

12	Essential Rail Assistance Account--State	
13	Appropriation	\$1,565,000
14	Transportation Infrastructure Account--State	
15	Appropriation	((\$5,693,000))
16		<u>\$5,018,000</u>
17	Multimodal Transportation Account--State	
18	Appropriation	((\$58,220,000))
19		<u>\$31,124,000</u>
20	Multimodal Transportation Account--Federal	
21	Appropriation	((\$236,597,000))
22		<u>\$110,725,000</u>
23	Multimodal Transportation Account--Private/Local	
24	Appropriation	((\$1,010,000))
25		<u>\$1,096,000</u>
26	TOTAL APPROPRIATION	((\$303,085,000))
27		<u>\$149,528,000</u>

28 The appropriations in this section are subject to the following
29 conditions and limitations:

30 (1)(a) Except as provided otherwise in this section, the entire
31 appropriations in this section are provided solely for the projects and
32 activities as listed by project ((and amount)) in LEAP Transportation
33 Document ((2012-1)) 2013-2 ALL PROJECTS as developed ((March 8, 2012))
34 April 23, 2013, Program-Rail Capital Program (Y).

35 (b) Within the amounts provided in this section, ((\$4,757,000))
36 \$4,507,000 of the transportation infrastructure account--state
37 appropriation is for low-interest loans through the freight rail

1 investment bank program for specific projects listed as recipients of
2 these loans in the LEAP transportation document identified in (a) of
3 this subsection. The department shall issue freight rail investment
4 bank program loans with a repayment period of no more than ten years,
5 and only so much interest as is necessary to recoup the department's
6 costs to administer the loans.

7 (c) Within the amounts provided in this section, (~~(\$2,047,000)~~)
8 \$1,754,000 of the multimodal transportation account--state
9 appropriation(~~(,--\$10,000--of--the--multimodal--transportation--account--~~
10 ~~private/local--appropriation,)~~) and \$1,000,000 of the essential rail
11 assistance account--state appropriation are for statewide emergent
12 freight rail assistance projects identified in the LEAP transportation
13 document identified in (a) of this subsection.

14 (2)(a) The department shall issue a call for projects for the
15 freight rail investment bank (FRIB) loan program and the emergent
16 freight rail assistance program (FRAP) grants, and shall evaluate the
17 applications according to the cost-benefit methodology developed during
18 the 2008 interim using the legislative priorities specified in (c) of
19 this subsection. Unsuccessful FRAP grant applicants should be
20 encouraged to apply to the FRIB loan program, if eligible. By November
21 1, 2012, the department shall submit a prioritized list of recommended
22 projects to the office of financial management and the transportation
23 committees of the legislature.

24 (b) When the department identifies a prospective rail project that
25 may have strategic significance for the state, or at the request of a
26 proponent of a prospective rail project or a member of the legislature,
27 the department shall evaluate the prospective project according to the
28 cost-benefit methodology developed during the 2008 interim using the
29 legislative priorities specified in (c) of this subsection. The
30 department shall report its cost-benefit evaluation of the prospective
31 rail project, as well as the department's best estimate of an
32 appropriate construction schedule and total project costs, to the
33 office of financial management and the transportation committees of the
34 legislature.

35 (c) The legislative priorities to be used in the cost-benefit
36 methodology are, in order of relative importance:

37 (i) Economic, safety, or environmental advantages of freight
38 movement by rail compared to alternative modes;

1 (ii) Self-sustaining economic development that creates family-wage
2 jobs;

3 (iii) Preservation of transportation corridors that would otherwise
4 be lost;

5 (iv) Increased access to efficient and cost-effective transport to
6 market for Washington's agricultural and industrial products;

7 (v) Better integration and cooperation within the regional,
8 national, and international systems of freight distribution; and

9 (vi) Mitigation of impacts of increased rail traffic on
10 communities.

11 (3) The department is directed to expend unallocated federal rail
12 crossing funds in lieu of or in addition to state funds for eligible
13 costs of projects in program Y.

14 (4) The department shall provide quarterly reports to the office of
15 financial management and the transportation committees of the
16 legislature regarding applications that the department submits for
17 federal funds and the status of such applications.

18 (5) The multimodal transportation account--state appropriation
19 includes up to \$12,103,000 in proceeds from the sale of bonds
20 authorized in RCW 47.10.867.

21 (6) The Burlington Northern Santa Fe Skagit river bridge is an
22 integral part of the rail system. Constructed in 1916, the bridge does
23 not meet current design standards and is at risk during flood events
24 that occur on the Skagit river. The department shall work with
25 Burlington Northern Santa Fe and local jurisdictions to secure federal
26 funding for the Skagit river bridge and to develop an appropriate
27 replacement plan and schedule.

28 (7) (~~(\$218,341,000)~~) \$103,992,000 of the multimodal transportation
29 account--federal appropriation and (~~(\$3,639,000)~~) \$1,815,000 of the
30 multimodal transportation account--state appropriation are provided
31 solely for expenditures related to passenger high-speed rail grants.
32 At one and one-half percent of the total project funds, the multimodal
33 transportation account--state funds are provided solely for
34 expenditures that are not federally reimbursable. Funding in this
35 subsection is the initial portion of multiyear high-speed rail program
36 grants awarded to Washington state for high-speed intercity passenger
37 rail investments. Funding will allow for two additional round trips
38 between Seattle and Portland and other rail improvements.

1 (8) \$750,000 of the multimodal transportation account--state
2 appropriation is provided solely for the Port of Royal Slope
3 rehabilitation project (L1000053). Funding is contingent upon the
4 project completing the rail cost-benefit methodology process developed
5 during the 2008 interim using the legislative priorities outlined in
6 subsection (2)(c) of this section.

7 (9) As allowable under federal rail authority rules and existing
8 competitive bidding practices, when purchasing new train sets, the
9 department shall give preference to bidders that propose train sets
10 with characteristics and maintenance requirements most similar to those
11 currently owned by the department.

12 (10) Funds generated by the grain train program are solely for
13 operating, sustaining, and enhancing the grain train program including,
14 but not limited to, operations, capital investments, inspection,
15 developing business plans for future growth, and fleet management. Any
16 funds deemed by the department, in consultation with relevant port
17 districts, to be in excess of current operating needs or capital
18 reserves of the grain train program may be transferred from the
19 miscellaneous program account to the essential rail assistance account
20 for the purpose of sustaining the grain train program through
21 maintaining the Palouse river and Coulee City railroad line, on which
22 the grain train program operates.

23 (11) \$500,000 of the essential rail assistance account--state
24 appropriation is provided solely for the purpose of rehabilitation and
25 maintenance of the Palouse river and Coulee City railroad line.
26 Expenditures from this appropriation may not exceed the combined total
27 of:

28 (a) The revenues deposited into the essential rail assistance
29 account from leases and sale of property pursuant to RCW 47.76.290; and

30 (b) Revenues transferred from the miscellaneous program account for
31 the purpose of sustaining the grain train program through maintaining
32 the Palouse river and Coulee City railroad line.

33 (12) \$200,000 of the multimodal transportation account--state
34 appropriation is provided solely for the Clark county chelatchie
35 prairie rail road (project L2200085).

36 **Sec. 908.** 2012 c 86 s 310 (uncodified) is amended to read as
37 follows:

1	FOR THE DEPARTMENT OF TRANSPORTATION--LOCAL PROGRAMS--PROGRAM Z--	
2	CAPITAL	
3	((Highway Infrastructure Account--State Appropriation	\$207,000
4	Highway Infrastructure Account--Federal	
5	Appropriation	\$1,602,000))
6	Motor Vehicle Account--State Appropriation	((\$4,179,000))
7		<u>\$2,511,000</u>
8	Motor Vehicle Account--Federal Appropriation	((\$37,935,000))
9		<u>\$19,759,000</u>
10	<u>Highway Safety Account--State Appropriation</u>	<u>\$752,000</u>
11	Freight Mobility Investment Account--State	
12	Appropriation	((\$11,278,000))
13		<u>\$5,044,000</u>
14	Transportation Partnership Account--State	
15	Appropriation	((\$7,181,000))
16		<u>\$3,967,000</u>
17	Freight Mobility Multimodal Account--State	
18	Appropriation	((\$15,668,000))
19		<u>\$11,868,000</u>
20	Freight Mobility Multimodal Account--Local	
21	Appropriation	((\$2,834,000))
22		<u>\$960,000</u>
23	Multimodal Transportation Account--State	
24	Appropriation	((\$22,575,000))
25		<u>\$15,413,000</u>
26	Passenger Ferry Account--State Appropriation	\$1,115,000
27	TOTAL APPROPRIATION	((\$104,574,000))
28		<u>\$61,389,000</u>

29 The appropriations in this section are subject to the following
30 conditions and limitations:

31 (1) \$1,115,000 of the passenger ferry account--state appropriation
32 is provided solely for near and long-term costs of capital improvements
33 and operating expenses that are consistent with the business plan
34 approved by the governor for passenger ferry service.

35 (2) The department shall apply for surface transportation program
36 enhancement funds to be expended in lieu of or in addition to state
37 funds for eligible costs of projects in local programs, program
38 Z--capital.

1 (3) Federal funds may be transferred from program Z to programs I
2 and P and state funds must be transferred from programs I and P to
3 program Z to replace those federal funds in a dollar-for-dollar match.
4 Fund transfers authorized under this subsection shall not affect
5 project prioritization status. Appropriations must initially be
6 allotted as appropriated in this act. The department may not transfer
7 funds as authorized under this subsection without approval of the
8 office of financial management. The department shall submit a report
9 on those projects receiving fund transfers to the office of financial
10 management and the transportation committees of the legislature by
11 December 1, 2011, and December 1, 2012.

12 (4) The city of Winthrop may utilize a design-build process for the
13 Winthrop bike path project.

14 (5) (~~(\$14,813,000)~~) \$10,654,000 of the multimodal transportation
15 account--state appropriation, (~~(\$12,804,000)~~) \$9,554,000 of the motor
16 vehicle account--federal appropriation, (~~and \$6,241,000~~) \$3,417,000
17 of the transportation partnership account--state appropriation, and
18 \$202,000 of the highway safety account--state appropriation are
19 provided solely for the pedestrian and bicycle safety program projects
20 and safe routes to schools program projects identified in: LEAP
21 Transportation Document 2011-A, pedestrian and bicycle safety program
22 projects and safe routes to schools program projects, as developed
23 April 19, 2011; LEAP Transportation Document 2009-A, pedestrian and
24 bicycle safety program projects and safe routes to schools program
25 projects, as developed March 30, 2009; LEAP Transportation Document
26 2007-A, pedestrian and bicycle safety program projects and safe routes
27 to schools program projects, as developed April 20, 2007; and LEAP
28 Transportation Document 2006-B, pedestrian and bicycle safety program
29 projects and safe routes to schools program projects, as developed
30 March 8, 2006. Projects must be allocated funding based on order of
31 priority. The department shall review all projects receiving grant
32 awards under this program at least semiannually to determine whether
33 the projects are making satisfactory progress. Any project that has
34 been awarded funds, but does not report activity on the project within
35 one year of the grant award must be reviewed by the department to
36 determine whether the grant should be terminated. The department shall
37 promptly close out grants when projects have been completed, and

1 identify where unused grant funds remain because actual project costs
2 were lower than estimated in the grant award.

3 (6) Except as provided otherwise in this section, the entire
4 appropriations in this section are provided solely for the projects and
5 activities as listed by project and amount in LEAP Transportation
6 Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed ((~~March 8, 2012~~))
7 April 23, 2013, Program - Local Programs (Z).

8 (7) For the 2011-2013 project appropriations, unless otherwise
9 provided in this act, the director of the office of financial
10 management may authorize a transfer of appropriation authority between
11 projects managed by the freight mobility strategic investment board and
12 may also advance projects in future biennia, as identified in LEAP
13 Transportation Document ((~~2012-1~~)) 2013-2 ALL PROJECTS as developed
14 ((~~March 8, 2012~~)) April 23, 2013, into the current biennium in order
15 for the board to manage project spending and efficiently deliver all
16 projects in the respective program.

17 (8) With each department budget submittal, the department shall
18 provide an update on the status of the repayment of the twenty million
19 dollars of unobligated federal funds authority advanced by the
20 department in September 2010 to the city of Tacoma for the Murray
21 Morgan/11th Street bridge project.

22 (9) If funding is specifically designated in this act for main
23 street projects, the department shall prepare a list of projects that
24 is consistent with chapter 257, Laws of 2011, for approval in the 2013-
25 2015 fiscal biennium.

26 (10) ((~~\$267,000~~)) \$50,000 of the motor vehicle account--state
27 appropriation and ((~~\$2,859,000~~)) \$50,000 of the motor vehicle account--
28 federal appropriation are provided solely for completion of the US 101
29 northeast peninsula safety rest area and associated roadway
30 improvements east of Port Angeles at the Deer Park scenic view point
31 (3LP187A). The department must surplus any right-of-way previously
32 purchased for this project near Sequim. Approval to proceed with
33 construction is contingent on surplus of previously purchased right-of-
34 way.

35 (11) Up to ((~~\$3,702,000~~)) \$2,680,000 of the motor vehicle account--
36 federal appropriation and ((~~\$75,000~~)) \$55,000 of the motor vehicle
37 account--state appropriation are provided solely to reimburse the
38 cities of Kirkland and Redmond for pavement and bridge deck

1 rehabilitation on state route number 908 (1LP611A). These funds may
2 not be expended unless the cities sign an agreement stating that the
3 cities agree to take ownership of state route number 908 in its
4 entirety and agree that the payment of these funds represents the
5 entire state commitment to the cities for state route number 908
6 expenditures.

7 (12) \$225,000 of the multimodal transportation account--state
8 appropriation is provided solely for the Shell Valley emergency road
9 and bicycle/pedestrian path (L1000036).

10 (13) \$188,000 of the motor vehicle account--state appropriation is
11 provided solely for flood reduction solutions on state route number 522
12 caused by the lower McAleer and Lyon creek basins (L1000041).

13 (14) (~~(\$896,000)~~) \$293,000 of the multimodal transportation
14 account--state appropriation is provided solely for realignment of
15 Parker Road and construction of secondary access off of state route
16 number 20 (L2200040).

17 (~~(15) ((An additional \$2,500,000 of the motor vehicle account--
18 federal appropriation is provided solely for the Strander Blvd/SW 27th
19 St Connection project (1LP902F), which amount is reflected in the LEAP
20 transportation document identified in subsection (6) of this section.
21 These funds may only be committed if needed, may not be used to
22 supplant any other committed project partnership funding, and must be
23 the last funds expended.~~

24 (~~(16) \$500,000~~) \$30,000 of the motor vehicle account--federal
25 appropriation is provided solely for safety improvements at the
26 intersection of South Wapato and McDonald Road (L1000052).

27 (~~((17) \$2,000,000)~~) (16) \$850,000 of the multimodal transportation
28 account--state appropriation is provided solely for the state route
29 number 432 rail realignment and highway improvements project
30 (L1000056).

31 (~~((18))~~) (17) \$100,000 of the motor vehicle account--federal
32 appropriation is provided solely for state route number 164 and Auburn
33 Way South pedestrian improvements (L1000057).

34 (~~((19))~~) (18) \$115,000 of the motor vehicle account--federal
35 appropriation is provided solely for median street lighting on state
36 route number 410 (L1000058).

37 (~~((20))~~) (19) \$60,000 of the multimodal transportation account--

1 state appropriation is provided solely for a cross docking study for
2 the port of Douglas county (L1000060).

3 ~~((+21+))~~ (20) \$100,000 of the motor vehicle account--federal
4 appropriation is provided solely for city of Auburn - 8th and R Street
5 NE intersection improvements (L2200043).

6 ~~((+22+))~~ (21) \$65,000 of the multimodal transportation account--
7 state appropriation is provided solely for the Puget Sound regional
8 council to further the implementation of multimodal concurrency
9 practice through a transit service overlay zone implemented at the
10 local level (L1000061). This approach will improve the linkage of land
11 use and transportation investment decisions, improve the efficiency of
12 transit service by encouraging transit-supportive development, provide
13 incentives for developers, and support integrated regional growth,
14 economic development, and transportation plans. In carrying out this
15 work, the council shall involve representatives from cities and
16 counties, developers, transit agencies, and other interested
17 stakeholders, and shall consult with other regional transportation
18 planning organizations across the state. The council shall report the
19 results of their work and recommendations to the joint transportation
20 committee by December 2011, with a final report to the transportation
21 committees of the legislature by January 31, 2012.

22 ~~((+23)-\$1,750,000))~~ (22) \$650,000 of the motor vehicle account--
23 federal appropriation is provided solely for the SR 522
24 Improvements/61st Avenue NE and NE 181st Street project (L1000055).

25 ~~((+24+))~~ (23) The department shall implement a call for projects
26 eligible for the bicycle and pedestrian grant program similar to the
27 call for projects conducted in 2010, although the department may adjust
28 the criteria to include mobility and connectivity. The department
29 shall include a list of prioritized bicycle and pedestrian grant
30 projects for approval in the 2013-2015 biennial transportation budget.

31 ~~((+25+))~~ (24) \$100,000 of the multimodal transportation account--
32 state appropriation is provided solely for the design of a stand-alone
33 ADA accessible bicycle/pedestrian bridge across the Sultan river in the
34 city of Sultan (L1100044).

35 ~~((+26)-\$445,000))~~ (25) \$30,000 of the motor vehicle account--
36 federal appropriation is provided solely for pedestrian lighting on the
37 main span of the Chehalis river bridge in Aberdeen (L1100046).

1 ((~~27~~)—\$500,000)) (26) \$80,000 of the motor vehicle account--
2 federal appropriation is provided solely for resurfacing Alder Avenue
3 in the city of Sultan (L1100047).

4 ((~~28~~)—\$800,000)) (27) \$550,000 of the motor vehicle account--
5 federal appropriation is provided solely for rights-of-way acquisition
6 on state route number 516 from Jenkins creek to 185th (L2000017).

7 ~~((29) — \$1,100,000 — of — the — motor — vehicle — account—federal~~
8 ~~appropriation is provided solely for traffic analysis, right-of-way,~~
9 ~~and design work on the 31st Avenue Southwest overpass on Puyallup's~~
10 ~~South Hill (L1100048)).~~

11 ~~(30)—\$2,000,000))~~ (28) \$250,000 of the motor vehicle account--
12 federal appropriation is provided solely for environmental
13 documentation and preliminary engineering for the Scott Avenue
14 Reconnection Project in the city of Woodland (L1100049).

15 ~~((31) \$350,000 of the motor vehicle account—federal appropriation~~
16 ~~is provided solely for preliminary engineering and rights-of-way on the~~
17 ~~Slater Road Bridge project (L2200089)).~~

18 ~~(32)—\$380,000))~~ (29) \$40,000 of the motor vehicle account--federal
19 appropriation is provided solely for rehabilitation work for
20 156th/160th Avenue in the city of Covington (L2200088).

21 ~~((33))~~ (30) \$380,000 of the motor vehicle account--federal
22 appropriation is provided solely for improvements to Penney Avenue in
23 the town of Naches (L2200090).

24 ~~((34))~~ (31) \$450,000 of the motor vehicle account--federal
25 appropriation is provided solely for preliminary engineering on NW
26 Friberg Street and Goodwin Road in the city of Camas (L2200091).

27 IMPLEMENTING PROVISIONS

28 **Sec. 1001.** 2011 c 367 s 601 (uncodified) is amended to read as
29 follows:

30 ACQUISITION OF PROPERTIES AND FACILITIES THROUGH FINANCIAL CONTRACTS

31 (1) The ~~((following agencies))~~ agency listed in subsection (2) of
32 this section may enter into financial contracts, paid from any funds of
33 an agency, appropriated or nonappropriated, for the purposes indicated
34 and in not more than the principal amounts indicated, plus financing
35 expenses and required reserves pursuant to chapter 39.94 RCW. When

1 securing properties under this section, agencies shall use the most
2 economical financial contract option available, including long-term
3 leases, lease-purchase agreements, lease-development with option to
4 purchase agreements, or financial contracts using certificates of
5 participation. Expenditures made by an agency for one of the indicated
6 purposes before the issue date of the authorized financial contract and
7 any certificates of participation therein are intended to be reimbursed
8 from proceeds of the financial contract and any certificates of
9 participation therein to the extent provided in the agency's financing
10 plan approved by the state finance committee.

11 (2) (~~State agencies~~) The Washington state patrol may enter into
12 agreements with the department of (~~general administration~~) enterprise
13 services and the state treasurer's office to develop requests to the
14 legislature for the acquisition of properties and facilities through
15 financial contracts. The agreements may include charges for services
16 rendered. The Washington state patrol may:

17 (a) (~~Department of transportation: Enter into a financing~~
18 ~~contract for up to \$10,824,000 plus financing expenses and required~~
19 ~~reserves pursuant to chapter 39.94 RCW for the acquisition and~~
20 ~~implementation of a time, leave, and labor distribution system that is~~
21 ~~integrated with the state's accounting and human resource management~~
22 ~~systems.~~

23 (b) ~~Department of licensing: Enter into a financing contract for~~
24 ~~up to \$7,414,000 plus financing expenses and required reserves pursuant~~
25 ~~to chapter 39.94 RCW for the purchase of a prorated and fuel tax system.~~

26 (c) ~~Washington state patrol: (i))~~ Enter into a financing contract
27 for up to \$8,241,000 plus financing expenses and required reserves
28 pursuant to chapter 39.94 RCW to purchase and install mobile office
29 platforms in state patrol and pursuit vehicles.

30 ((~~ii~~)) (b) Enter into a financing contract for up to
31 (~~\$40,100,000~~) \$39,100,000 plus financing expenses and required
32 reserves pursuant to chapter 39.94 RCW to purchase equipment and
33 engineering services to convert to a narrowband digital system.

34 **TRANSFERS AND DISTRIBUTIONS**

1 **Sec. 1101.** 2012 c 86 s 401 (uncodified) is amended to read as
2 follows:
3 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
4 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND**
5 **DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND**
6 **REVENUE**

7	Highway Bond Retirement Account--State	
8	Appropriation	((\$879,501,000))
9		<u>\$862,130,000</u>
10	Ferry Bond Retirement Account--State	
11	Appropriation	((\$31,801,000))
12		<u>\$31,807,000</u>
13	State Route Number 520 Corridor Account--State	
14	Appropriation	((\$3,818,000))
15		<u>\$4,766,000</u>
16	Transportation Improvement Board Bond Retirement	
17	Account--State Appropriation	((\$16,482,000))
18		<u>\$17,174,000</u>
19	Nondebt-Limit Reimbursable Account Appropriation	((\$22,476,000))
20		<u>\$21,877,000</u>
21	Transportation Partnership Account--State	
22	Appropriation	((\$3,654,000))
23		<u>\$2,570,000</u>
24	Motor Vehicle Account--State Appropriation	((\$382,000))
25		<u>\$270,000</u>
26	Transportation 2003 Account (Nickel Account)--State	
27	Appropriation	((\$1,305,000))
28		<u>\$1,411,000</u>
29	((Transportation Improvement Account--State	
30	 Appropriation	\$29,000))
31	Multimodal Transportation Account--State	
32	Appropriation	((\$158,000))
33		<u>\$181,000</u>
34	Toll Facility Bond Retirement Account--State	
35	Appropriation	((\$48,807,000))
36		<u>\$41,279,000</u>
37	Toll Facility Bond Retirement Account--Federal	
38	Appropriation	((\$7,500,000))

1 \$18,283,000
 2 TOTAL APPROPRIATION ((~~\$1,015,913,000~~))
 3 \$1,001,748,000

4 **Sec. 1102.** 2012 c 86 s 402 (uncodified) is amended to read as
 5 follows:

6 **FOR THE STATE TREASURER--BOND RETIREMENT AND INTEREST, AND ONGOING**
 7 **BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND**
 8 **FISCAL AGENT CHARGES**

9 State Route Number 520 Corridor Account--State
 10 Appropriation ((~~\$960,000~~))
 11 \$1,826,000
 12 Transportation Partnership Account--State
 13 Appropriation ((~~\$587,000~~))
 14 \$352,000
 15 Motor Vehicle Account--State Appropriation ((~~\$58,000~~))
 16 \$28,000
 17 Transportation 2003 Account (Nickel Account)--State
 18 Appropriation ((~~\$255,000~~))
 19 \$152,000
 20 (~~Transportation Improvement Account--State Appropriation \$5,000~~)
 21 Multimodal Transportation Account--State
 22 Appropriation ((~~\$23,000~~))
 23 \$14,000
 24 TOTAL APPROPRIATION ((~~\$1,888,000~~))
 25 \$2,372,000

26 **Sec. 1103.** 2012 c 86 s 404 (uncodified) is amended to read as
 27 follows:

28 **FOR THE STATE TREASURER--STATE REVENUES FOR DISTRIBUTION**

29 Motor Vehicle Account--State Appropriation for motor
 30 vehicle fuel tax distributions to cities and
 31 counties ((~~\$470,701,000~~))
 32 \$465,681,000

33 **Sec. 1104.** 2012 c 86 s 405 (uncodified) is amended to read as
 34 follows:

1 **FOR THE STATE TREASURER--TRANSFERS**

2 Motor Vehicle Account--State Appropriation: For
3 motor vehicle fuel tax refunds and statutory
4 transfers ((~~\$1,227,005,000~~))
5 \$1,213,253,000

6 **Sec. 1105.** 2012 c 86 s 406 (uncodified) is amended to read as
7 follows:

8 **FOR THE DEPARTMENT OF LICENSING--TRANSFERS**

9 Motor Vehicle Account--State Appropriation: For
10 motor vehicle fuel tax refunds and transfers . . . ((~~\$151,870,000~~))
11 \$147,557,000

12 **Sec. 1106.** 2012 c 86 s 407 (uncodified) is amended to read as
13 follows:

14 **FOR THE STATE TREASURER--ADMINISTRATIVE TRANSFERS**

15 (1) Motor Vehicle Account--State Appropriation:
16 For transfer to the Puget Sound Ferry Operations
17 Account--State \$45,500,000

18 (2) Recreational Vehicle Account--State
19 Appropriation: For transfer to the Motor Vehicle
20 Account--State \$1,150,000

21 (3) License Plate Technology Account--State
22 Appropriation: For transfer to the Highway Safety
23 Account--State \$3,000,000

24 (4) Multimodal Transportation Account--State
25 Appropriation: For transfer to the Puget Sound
26 Ferry Operations Account--State \$42,000,000

27 (5) Highway Safety Account--State Appropriation:
28 For transfer to the Motor Vehicle Account--State \$23,000,000

29 (6) Advanced Right-of-Way Revolving Fund: For
30 transfer to the Motor Vehicle Account--State \$5,000,000

31 (7) Rural Mobility Grant Program Account--State
32 Appropriation: For transfer to the Multimodal
33 Transportation Account--State \$3,000,000

34 (8) Motor Vehicle Account--State
35 Appropriation: For transfer to the State Patrol
36 Highway Account--State \$16,000,000

1 (9) State Route Number 520 Corridor
2 Account--State Appropriation: For transfer to the
3 Motor Vehicle Account--State \$58,000
4 (10) Motor Vehicle Account--State
5 Appropriation: For transfer to the Special Category C
6 Account--State \$2,500,000
7 (11) Regional Mobility Grant Program
8 Account--State Appropriation: For transfer to the
9 Multimodal Transportation Account--State \$1,000,000
10 (12) State Patrol Highway Account--State
11 Appropriation: For transfer to the Vehicle
12 Licensing Fraud Account--State \$100,000
13 (13) Capital Vessel Replacement Account--State
14 Appropriation: For transfer to the Transportation 2003
15 Account (Nickel Account)--State ((~~\$6,367,000~~))
16 \$6,221,000

17 (14) The transfers identified in this section are subject to the
18 following conditions and limitations:

19 (a) The transfer in subsection (9) of this section represents the
20 repayment of an amount equal to subprogram B5 expenditures that
21 occurred in the motor vehicle account in the 2009-2011 fiscal biennium.

22 (b) The amount transferred in subsection (2) of this section shall
23 not exceed the expenditures incurred from the motor vehicle account--
24 state for the recreational vehicle sanitary disposal systems program.

25 **CONDITIONALLY ADDITIVE APPROPRIATIONS**

26 **Sec. 1201.** 2012 c 86 s 701 (uncodified) is amended to read as
27 follows:

28 It is the intent of the legislature that the appropriations in
29 (~~sections 702 through 713 of this act be~~) chapter 86, Laws of 2012
30 that were supported by the legislative changes in chapter 80, Laws of
31 2012 and chapter 74, Laws of 2012 were an initial commitment to the
32 programs and activities funded and that the commitment continue through
33 the 2013-2015 fiscal biennium. To that end, it is the intent of the
34 legislature that the spending plan for the 2013-2015 fiscal biennium
35 reflect the programmatic areas and amounts described in LEAP

1 Transportation Document 2012-4, as developed March 8, 2012, except for
2 the amounts for "WSDOT Preliminary Design/Rights-of-Way," which are
3 superseded for the 2013-2015 fiscal biennium by the amounts provided in
4 section 306(15) of this act for the projects identified in LEAP
5 Transportation Document 2013-3 as developed April 23, 2013.

6 **MISCELLANEOUS 2011-2013 FISCAL BIENNIUM**

7 NEW SECTION. **Sec. 1301.** The appropriations to the department of
8 transportation in chapter 86, Laws of 2012 and this act must be
9 expended for the programs and in the amounts specified in this act.
10 However, after May 1, 2013, unless specifically prohibited, the
11 department may transfer state appropriations for the 2011-2013 fiscal
12 biennium among operating programs after approval by the director of the
13 office of financial management. However, the department shall not
14 transfer state moneys that are provided solely for a specific purpose.
15 The department shall not transfer funds, and the director of the office
16 of financial management shall not approve the transfer, unless the
17 transfer is consistent with the objective of conserving, to the maximum
18 extent possible, the expenditure of state funds and not federal funds.
19 The director of the office of financial management shall notify the
20 appropriate transportation committees of the legislature prior to
21 approving any allotment modifications or transfers under this section.
22 The written notification must include a narrative explanation and
23 justification of the changes, along with expenditures and allotments by
24 program and appropriation, both before and after any allotment
25 modifications or transfers.

26 NEW SECTION. **Sec. 1302.** The following acts or parts of acts are
27 each repealed:

- 28 (1) 2012 c 86 s 702 (uncodified);
- 29 (2) 2012 c 86 s 703 (uncodified);
- 30 (3) 2012 c 86 s 704 (uncodified);
- 31 (4) 2012 c 86 s 705 (uncodified);
- 32 (5) 2012 c 86 s 706 (uncodified);
- 33 (6) 2012 c 86 s 707 (uncodified);
- 34 (7) 2012 c 86 s 709 (uncodified);

- 1 (8) 2012 c 86 s 710 (uncodified);
- 2 (9) 2012 c 86 s 711 (uncodified);
- 3 (10) 2012 c 86 s 712 (uncodified);
- 4 (11) 2012 c 86 s 713 (uncodified);
- 5 (12) 2012 c 86 s 714 (uncodified);
- 6 (13) 2012 c 86 s 715 (uncodified); and
- 7 (14) 2012 c 86 s 716 (uncodified).

8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 1401.** If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 1402.** Except for sections 702 and 709 of this
14 act, this act is necessary for the immediate preservation of the public
15 peace, health, or safety, or support of the state government and its
16 existing public institutions, and takes effect immediately.

17 NEW SECTION. **Sec. 1403.** Section 702 of this act is necessary for
18 the immediate preservation of the public peace, health, or safety, or
19 support of the state government and its existing public institutions,
20 and takes effect July 1, 2013.

21 NEW SECTION. **Sec. 1404.** Section 709 of this act is necessary for
22 the immediate preservation of the public peace, health, or safety, or
23 support of the state government and its existing public institutions,
24 and takes effect June 30, 2013, unless chapter . . . (Substitute House
25 Bill No. 1745), Laws of 2013 is enacted on or before June 30, 2013, in
26 which case section 709 of this act does not take effect.

(End of Bill)

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Passed by the Senate April 28, 2013.

Passed by the House April 28, 2013.

Approved by the Governor May 20, 2013, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2013.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Sections 201(3); 209(10); 216(5); 218(2); 306(7); 306(22); 313(4); 313(5); 602; 903, page 139, lines 23-25; 903(1); 904, page 151, lines 7-9; 904(1); 906, page 154, lines 8-10; and 906(1), Engrossed Substitute Senate Bill 5024 entitled:

"AN ACT Relating to transportation funding and appropriations."

Section 201(3), page 7, Washington Traffic Safety Commission, Traffic Safety Resource Prosecutor Program

This proviso requires the traffic safety prosecutor program to be moved from the Washington State Patrol to the Washington Association of Prosecuting Attorneys. Before making this change, a thorough analysis of the advantages and disadvantages should be done. For this reason, I have vetoed Section 201(3) and instructed the Washington Traffic Safety Commission to investigate this proposal.

Section 209(10), page 20, Department of Transportation, Annual Independent Audits

The Fiscal Year 2013 annual independent audit of State Route 520 is currently under way and will be completed in Fiscal Year 2014. This proviso would require the audit to be completed through an interagency agreement between the Department of Transportation and Office of Financial Management. This change would duplicate work and delay completion of the audit required in the State Route 520 master bond resolution. For these reasons, I have vetoed Section 209(10).

Section 216(5), page 26, Department of Transportation, Guide Signs to the City of Kenmore and Other Destinations

Traffic control signing, including guide signs to destinations, should be done in a cooperative manner between the Department of Transportation and the requestor to ensure that safety and motorist needs are met. State and federal regulations and policy are in place to guide this process. This proviso, therefore, is unnecessary. For this reason, I have vetoed Section 216(5) and directed the Department to work with the City of Kenmore to resolve their traffic control signing issues.

Section 218(2), page 29-30, Department of Transportation, Study on Restricting Use of Steel on Guardrail Posts

Section 218(2) directs the Department of Transportation to contract with an independent research organization to study wood guardrails; however, no funding is provided for the study. Moreover, the Department evaluated the use of wood guardrails as recently as 2009

and is currently conducting a study concerning guardrail materials. For these reasons, I have vetoed Section 218(2).

Section 306(7), pages 41-42, Interstate 5/Columbia River Crossing

Section 306(7) directs the expenditure of \$81 million, including federal funds, for the Columbia River Crossing project. I see no wisdom in expending these funds if the state of Washington does not contribute adequate funding necessary to complete the project. This section would result in the expenditure of \$81 million to no result. If there are no other funds appropriated, the bridge project cannot move forward because federal funding will disappear. In addition, this section would prohibit expenditure of federal funding that is necessary to build the bridge. If the Coast Guard permit is not issued, there is no need for the waste of \$81 million.

Section 306(22), page 47, Department of Transportation, Report on Public or Private Entity Mitigation

Section 306(22) requires the Department of Transportation to report to the chairs of the Senate and House transportation committees whenever it is in negotiations to provide a public or private entity mitigation for \$10 million or more. While I support the interest in transparency and accountability when negotiating public funds, non-disclosure agreements may require the Department to maintain confidentiality during certain negotiations. Therefore, I have vetoed Section 306 (22) and directed the Department to develop a process to report on mitigation agreements exceeding \$10 million.

Section 313(4), page 57, Department of Transportation, Quarterly Reporting Requirements

This proviso requires the Department of Transportation to report quarterly on change order details that include the name of the contractor, dollar value of the change order, and explanation of the change order. No funding was provided for either the system or human resource efforts this would require given that there is no dollar threshold for reporting change orders. For this reason, I have vetoed Section 313(4).

Section 313(5), page 57, Department of Transportation, Quarterly Reporting Requirements

This proviso requires the Department of Transportation to report quarterly on all mitigation payments, including the party with whom the mitigation was negotiated, as well as the parties with whom the Department is in ongoing negotiations. No funding was provided for either the system or human resource efforts this would require given that there is no dollar threshold for reporting mitigation payments. For this reason, I have vetoed Section 313(5).

Section 602, page 74, Department of Transportation, Transitioning Passenger Vehicles to DES Motor Pool

This section directs the Department of Transportation to begin transitioning its passenger vehicles to the Department of Enterprise Services motor pool and prohibits the purchase of new passenger vehicles with appropriations in this act by programs headquartered in Thurston County. However, it is not clear whether the Department of Transportation's specialty service trucks are passenger vehicles as defined in RCW 46.04.382. I believe these vehicles, such as light trucks used by maintenance workers, should remain with the Department of Transportation. For this reason, I have vetoed Section 602 and directed the Department of Transportation to work with the Department of Enterprise Services to transition its vehicles to the motor pool where practicable and where efficiencies can be created.

Section 903, page 139, lines 23-25, and Section 903(1), page 140, Transportation Partnership Account--State Appropriation, Improvements Program

Due to unforeseen changes in the timing of expenditures for highway improvement projects and the lack of flexibility in the capital program budgets, this appropriation change would result in an estimated shortfall of approximately \$30 million in expenditure authority in the highway improvement program. The Department of Transportation must keep projects within the total spending plan; however, retaining the supplemental budget's original Transportation Partnership Account-State appropriation will provide flexibility in the timing of expenditures as the state transitions from one biennium to the next during the peak construction period. For these reasons, I have vetoed Section 903, page 139, lines 23-25, and Section 903(1).

Section 904, page 151, lines 7-9, and Section 904(1), page 151, Transportation Partnership Account--State Appropriation, Preservation Program

Due to unforeseen changes in the timing of expenditures for highway preservation projects and the lack of flexibility in the capital program budgets, this appropriation change would result in an estimated shortfall of approximately \$23 million in expenditure authority in the highway preservation program. The Department of Transportation must keep projects within the total spending plan; however, retaining the supplemental budget's original Transportation Partnership Account-State appropriation will provide flexibility in the timing of expenditures as the state transitions from one biennium to the next during the peak construction period. For these reasons, I have vetoed Section 904, page 151, lines 7-9, and Section 904(1).

Section 906, page 154, lines 8-10, and Section 906(1), page 154, Transportation 2003 Account (Nickel Account)--State Appropriation, Washington State Ferries Construction Program

Due to unforeseen changes in the timing of expenditures for ferry capital construction projects and the lack of flexibility in the capital program budgets, this appropriation change would result in an estimated shortfall of approximately \$7 million in expenditure authority in the ferry capital program.

The Department of Transportation must keep projects within the total spending plan; however, retaining the supplemental budget's original Transportation 2003 Account (Nickel Account)-State appropriation will provide flexibility in the timing of expenditures as the state transitions from one biennium to the next during the peak construction period. For these reasons, I have vetoed Section 906, page 154, lines 8-10, and Section 906(1).

For these reasons I have vetoed Sections 201(3); 209(10); 216(5); 218(2); 306(7); 306(22); 313(4); 313(5); 602; 903, page 139, lines 23-25; 903(1); 904, page 151, lines 7-9; 904(1); 906, page 154, lines 8-10; and 906(1) of Engrossed Substitute Senate Bill 5024.

With the exception of Sections 201(3); 209(10); 216(5); 218(2); 306(7); 306(22); 313(4); 313(5); 602; 903, page 139, lines 23-25; 903(1); 904, page 151, lines 7-9; 904(1); 906, page 154, lines 8-10; and 906(1), Engrossed Substitute Senate Bill 5024 is approved."